

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 14071 OF 2018

Rampyari Harishchandra Rajput ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. D.R. Irale Patil, Advocate for Petitioner
Mr. S.K. Tambe, Assistant Government Pleader for
Respondent No. 1
Mr. S.B. Ghute, Advocate for Respondent Nos. 2 to 4

**CORAM : S.V. GANGAPURWALA AND
A.M. DHAVALA, JJ.**

DATE: 23rd JANUARY, 2019

PER COURT

1. Heard learned Counsel for the petitioner and learned Counsel for respondent Nos. 1 to 4.

2. The learned Counsel for the petitioner submits that the petitioner is similarly situated as that of the petitioner in Writ Petition Nos. 4616 of 2016 and 4624 of 2016, decided by this Court under the judgment and order dated 22.12.2017.

3. The learned Counsel for the respondents, on going through the judgment, accepts that the present petitioner is similarly situated. The respondents were same in Writ Petitions No. 4616 of 2016 and 4624 of 2016.

4. For the reasons stated in the said judgment, the impugned order passed by respondent Nos. 2 to 4 claiming recovery is quashed and set aside. The respondents are directed to repay the amount to the petitioner which has been recovered from her, within a period of six months from today.

5. The respondents are at liberty to re-fix the pay of the petitioner after giving opportunity to the petitioner.

6. Writ Petition is disposed of. No costs.

(A.M. DHAVAL, J.) (S.V. GANGAPURWALA, J.)

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