

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

19 WRIT PETITION NO.15092 OF 2019

RAMAKANT BALIRAM PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

42 WRIT PETITION NO.15208 OF 2019

PURUSHOTTAM RANGNATH JOSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Patil Prakashsing B.
AGP for Respondents: Mr. S.N. Morampalle

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CORAM : **S. V. GANGAPURWALA & AVINASH G. GHAROTE, JJ.**

Date: December 16th, 2019

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PER COURT :-

1 We have heard learned Advocate for the petitioners and learned AGP for the State.

2 The objection of the learned AGP of alternate remedy was considered by this Court while delivering judgment in Writ Petition No.2344/2019 dated 19.03.2019.

3 On merits, it is accepted by the learned counsel for the petitioners and learned AGP that the petitioners stand on the same premise as the petitioners in writ petition No.2344/2019 and writ petition No.10752/2019 with connected writ petitions.

4 In the light of that and for the reasons recorded in Judgment in Writ petition No.2344/2019 and Writ Petition

No.2345/2019 dated 19.03.2019, we follow the same course.

5 In the judgment referred to above, the Division Bench of this Court had allowed the writ petitions and directed refund of the amount along with the interest at the rate of 10% per annum. The Division Bench of this Court in the said writ petitions passed the following order:-

" In that view of the matter, all these writ petitions stand allowed. The excess amount, which is deducted from the amount of retirement dues payable to the petitioners in the form of gratuity, be refunded to the respective petitioners along with interest @ 10% p.a. from the date the amount was recovered. The said refund be made within a period of six months."

6 In light of above, the present writ petitions are also disposed of in terms of the order passed in Writ Petition Nos.2344 and 2345/2019 dated 19.03.2019.

7 The respondents shall refund the excess amount deducted from the amount of gratuity along with interest at the rate of 10% per annum from the date the amount was recovered. The payment shall be made within a period of six months.

8 Writ petitions are disposed of. No costs.

(AVINASH G. GHAROTE, J)

(S. V. GANGAPURWALA, J)