

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

WRIT PETITION NO.1726 OF 2020
WITH WP/1727/2020 WITH WP/1728/2020 WITH WP/1729/2020 WITH
WP/1730/2020 WITH WP/1731/2020 WITH WP/1732/2020 WITH
WP/1733/2020 WITH WP/1734/2020 WITH WP/1735/2020 WITH
WP/1736/2020 WITH WP/1771/2020 WITH WP/1772/2020 WITH
WP/1773/2020 WITH WP/1774/2020

BHARAT DHANSING JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioners : Shri Patil Prafullasing H.
AGP for the Respondents/ State : Shri P.G.Borade
...

**CORAM : S.V. GANGAPURWALA
&
SHRIKANT D. KULKARNI, JJ.**

DATE :- 28th January, 2020

Per Court :-

1 We have heard learned advocate for the petitioners and the learned AGP.

2 The objection of the learned AGP of alternate remedy was considered by this Court while delivering the 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 the 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 to refund the amount alongwith 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 the 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 to the respective petitioners the excess amount deducted from the amount of gratuity/salary 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 These Writ petitions are, accordingly, disposed of. No costs.