

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**925 WRIT PETITION NO.3454 OF 2022
AND WP/167/2022 AND WP/734/2022 AND WP/736/2022
AND WP/735/2022 AND WP/3455/2022 AND
WP/3686/2022**

**RAKESH DEVAN PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. S. B. Sontakke, Advocate for the petitioner
Mr. S. R. Yadav, AGP for the respondent/State
Mr. S. B. Munde, Advocate for the respondent No.2

CORAM : RAVINDRA V. GHUGE, J.

DATE : 17-03-2022

P. C.

1. The learned Advocates for the parties jointly submit that the petitioners in these petitions are pensioners. They are covered by the order passed by this court dated 17-12-2019 and same order be passed in all these matters. Copy of the order dated 17-12-2019, is placed before the Court which was passed in writ petition No. 15297/2019 and connected matters, Mukesh Bhagwan Patil Vs State of Maharashtra and others.

2. The learned AGP points out that this court has dealt with about 250 identical matters and various orders have been passed on 26-07-2018, 19-08-2018 and 06-12-2018. This court has interfered with the order of punishment only to the extent of the permanent stoppage of one increment and has converted the punishment into stoppage of one increment for one year without cumulative effect. He submits that the same order need to be passed in these matters.

3. The learned Advocate for the petitioners submits that these petitions can be segregated into two groups. One group of petitioners have already retired from employment and this court has delivered orders in such cases, one amongst them being the order dated 09-08-2018. Following are the petitions and the names of the petitioners who have retired from employment:-

Sr. N.	Writ Petition Nos.	Name of the Employees
1.	WP/734/2022	Mahemudabi Tadv
2.	WP/736/2022	Gulab Jadhav
3.	WP/735/2022	Ramesh Patil
4.	WP3455/2022	Pratibha Jangle

5.	WPST/1012/2022	Narayan Isane
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4. In view of the above, all these petitions are partly allowed as under:-

a] The impugned orders awarding punishment of permanent stoppage of one increment are converted into a punishment of stoppage of one increment for one year, simplicitor.

b] Those petitioners who have retired from service and are receiving pensionary benefits, shall be considered by the Zilla Parishad for recalculating their pensionary/retiral benefits by virtue of the modified order of punishment, and effective steps to process their revised pension papers, shall be taken within 12 weeks from today.

(4)

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c] Consequentially, the Zilla Parishad shall recalculate the amounts deducted after the modified punishment and refund such excess amounts to all the petitioners within 12 weeks from today.

[RAVINDRA V. GHUGE, J.]

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