

WRIT PETITION NO. 9326 OF 2022

Moreshwar Dadabhau Nawale .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Avinash S. Khedkar, Advocate for the Petitioner.
Shri A. S. Shinde, A.G.P. for the Respondent Nos. 1 to 7.

**CORAM : MANGESH S. PATIL AND
SANDEEP V. MARNE, JJ.
DATE : 15.09.2022.**

FINAL ORDER :

Heard learned advocate Mr. Khedkar for the petitioner. The petitioner is original applicant before the Maharashtra Administrative Tribunal. He is aggrieved by the order dated 07 September 2022, whereby the Tribunal refused to grant interim relief to the extent of refixation of pay, however, the Tribunal has granted protection to the recovery of the amount stated to have been over paid to the petitioner.

2. As far as recovery aspect is concerned, already the petitioner has been protected.

3. So far as the matter of refixation of pay is concerned, needless to state that the parties are before the Tribunal and it would decide the original application on its own merits in due

course. If it is the stand of the respondents that due to incorrect fixation of pay, the pension of the petitioner has to be revised, we find no illegality in the order of the Tribunal refusing to grant any interim relief, as far as refixation of pay is concerned. The petition is dismissed, however, hearing of the original application stands expedited.

[SANDEEP V. MARNE, J.]

[MANGESH S. PATIL, J.]

bsb/Sept. 22