

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

933 WRIT PETITION NO.7572 OF 2023

MINAKSHI VISHWANATH CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

**WITH
WRIT PETITION NO. 7573 OF 2023**

BHASKAR DNYANDEV CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

**WITH
WRIT PETITION NO. 7574 OF 2023**

ULHAS REVA MAHAJAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

**WITH
WRIT PETITION NO. 7575 OF 2023**

SUSHAMA RAMESH ATTARADE (SUNANDA VITTHAL BARHATE)
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WITH

WRIT PETITION NO. 7576 OF 2023

RAJENDRA NABAB TADAVI

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WITH

WRIT PETITION NO. 7577 OF 2023

NARAYAN YADAV BADHE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
APP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WITH

WRIT PETITION NO. 7578 OF 2023

HUSEN MAITAB TADAVI

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...

WITH

WRIT PETITION NO. 7579 OF 2023

NATHU DILDAR TADAVI

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WITH
WRIT PETITION NO. 7668 OF 2023

SAYYED AFZAAL AHEMAD IQUBAL ALI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...
WITH
WRIT PETITION NO. 7669 OF 2023

SAYYED SHAIKH KALEEM SHAIKH GAMIR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
AGP for the Respondent/State : Mr S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

CORAM : **MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : **06.07.2023**

PER COURT :

Heard the learned advocate for the petitioners in all the petitions, learned A.G.P. and the learned advocate Mr. S.R. Dheple and learned advocate Mr. N.E. Deshmukh for the respondents-Zilla Parishads.

2. The petitioners are aggrieved by the recoveries being sought to be made by virtue of the orders after their retirement for recovery of the moneys as indicated in the chart extended to us across the Bar on the

ground of their failure to complete MS-CIT within the stipulated period.

3. This Court has granted reliefs to similarly situated persons based on the decision in the matter of *The State of Punjab Vs. Rafiq Masih (White Washer) reported (2015) 4 SCC 334*. It is not the case of the respondents that any undertaking was sought as is contemplated in **High Court of Punjab and Haryana and others vs. Jagdev Singh; 2016 AIR (SCW) 3523** No such recoveries could have been resorted to post retirement when it is not the petitioners' fault.

4. The Writ Petitions are allowed. The impugned orders are quashed and set aside. If based on the impugned orders some pensionary benefits are withheld those shall be released forthwith.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-