

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

980 WRIT PETITION NO.8682 OF 2023

DEVYANI SURESH CHAUDHARI
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...

WRIT PETITION NO. 8683 OF 2023

SUNANDA KESHAV JANGALE
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8684 OF 2023

AYYUBKHA SUBHANKHA TADAVI
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8687 OF 2023

ABDUL GANI JAMASHER TADAVI
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8688 OF 2023

MALATI NARENDRA BAVISKAR

VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8690 OF 2023

BHARTI KISHOR SURYAWANSHI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8691 OF 2023

SUNITA SUKADEV NEMADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...

WRIT PETITION NO. 8692 OF 2023

LATA BHAGWAT CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. N.E. Deshmukh

...

WRIT PETITION NO. 8693 OF 2023

ASHOK GANU BHALERAO
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...

Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 8694 OF 2023

BALKRUSHNA DHONDU MAHALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 8695 OF 2023

SUNANDA DAGADU NEHETE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
Addl.G.P for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 8704 OF 2023

MANJUSHA SUNIL PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. S.K. Tambe
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 9555 OF 2023

SAIYAD HAIDAR ALI ZAHOOOR ALI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. S.K. Tambe
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 10182 OF 2023

BHAGWAN SHAMRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 10183 OF 2023

VIJAYA GOVIND CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 10184 OF 2023

SURESH VASANT TAYADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 10185 OF 2023

VIDYARANI ULHASRAO CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

...
WRIT PETITION NO. 10186 OF 2023

NANDA RAMESH RANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

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...
WRIT PETITION NO. 10187 OF 2023

PUSHPA SHIRISH PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHER

...
Advocate for the Petitioner : Mr. Bolkar Yogesh B.
A.G.P for Respondent No. 1 : Mr. A.S. Shinde
Advocate for Respondent Nos. 2 to 4 : Mr. S.R. Dheple

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

DATE : 18.08.2023

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 and/or wrong pay fixation.

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/-