

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

907 WRIT PETITION NO.2161 OF 2023

SANDHYA BHAGWAT KOLAMBE ALIAS SANDHYA LAXMAN CHAUDHARI  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND  
OTHERS

...

909 WRIT PETITION NO.2184 OF 2023

BHASKAR PRABHAKAR BARHATE  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND  
OTHERS

...

910 WRIT PETITION NO.2185 OF 2023

MANGALA RAJENDRA KASAR  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND  
OTHERS

...

911 WRIT PETITION NO.2186 OF 2023

SULOCHANA TRAYAMBAK BONDE  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND  
OTHERS

...

WRIT PETITION NO.2189 OF 2023

NIRMALA TULSHIRAM DANDE  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY AND  
OTHERS

...

Advocate for Petitioners in all petitions : Mr. S.B. Sontakke  
AGP for Respondent/State in all respective petitions: Mr. K.N. Lokhande,  
Mr. G.O. Wattamwar, Mr. N.T. Bagat, Mr. K.B. Jadhavar  
Advocate for Respondent 2 : Mr. N.E. Deshmukh

...

**CORAM : ARUN R. PEDNEKER, J.  
DATED : 23/02/2023**

**PER COURT :**

1. WP No. 2189/2023 is not on board. Taken on board.
2. The learned advocate for the parties submit that the present writ petitioners are similarly placed to that of the petitioners in Writ Petition No. 3454/2022 along with other petitions (Rakesh Devan Pawar Vs. The State of Maharashtra and Ors.) which were disposed of by order dated 17.3.2022 and the same order may be passed in the present writ petitions.
3. Order dated 17.3.2022 passed in Writ Petition No. 3454/2022 is quoted below :-

"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. No. | Writ Petition Nos. | Name of the Employee |
|---------|--------------------|----------------------|
| 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        |

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.

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. "

4. In view of the order passed on 17.3.2022 in Writ Petition No. 3454/2022 and other connected writ petitions, it is hereby directed that :-

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.

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. ""

Writ petitions are partly allowed and disposed of.

[ARUN R. PEDNEKER J.]

ssc/