

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.616 OF 2016

Subhash Atmaramji Sarode
since deceased through LRs
Smt. Rekha Subhash Sarode & Ors.
V/S
State of Maharashtra & Ors.

....Petitioners

....Respondents

...

Mr. N.V. Bandiwadekar, Senior Advocate a/w Mr. Vinayak Kumbhar for the Petitioners.

Mrs. R.A. Salunkhe, AGP for Respondent No.1-State.

Mr. Shankar P. Thorat a/w Mr. G.B. Walawalkar for Respondent Nos.2 and 3.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 26 APRIL 2023.

P.C.:

1 We have heard the learned Counsel for the Petitioners and the learned Counsel for the Respondent Nos.2 and 3.

2 It is not disputed by the learned Counsel for the Petitioners as well as the learned Counsel for the Respondent Nos.2 and 3 that the present Petitioners are similarly situated as the Petitioners in Writ Petition No.14575 of 2018 with other connected Writ Petitions decided under the judgment and order dated 27th March 2023.

3 In light of that and for the reasons recorded in the judgment and order dated 27th March 2023 in Writ Petition No.14575 of 2018 with connected Writ Petitions, the present Writ Petition is also disposed of on the same terms which are reproduced as under:

“(i) The impugned order to the extent of recovery is quashed and set aside.

(ii) The order with regard to re-pay fixation done is not interfered with.

(iii) The amount, if recovered from the Petitioners, shall be refunded to them within four months.”

4. Rule is made absolute in the aforesaid terms. The Writ Petition is disposed of.

5. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

Digitally
signed by
SUDARSHAN
RAJALINGAM
KATKAM
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