

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 5643 of 2018

The Divisional Controller, MSRTC, Bhandara Division, Bhandara

Versus

Smt. Saraswatibai Wd/o Tejaram Bhure (Deceased) through her legal heirs
and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.H.Kedar, Advocate for the petitioner.
Shri Tabish Mirza Advocate h/f Shri A.M.Quazi,
Advocate for the respondent nos. 1,3 to 5.
Ms. Barabde, AGP for the respondent no.6.

**CORAM : ANIL S. KILOR, J.
DATED : 7th AUGUST, 2023.**

Heard.

2. In the present matter, the only dispute was about the quantum of amount which was resolved after the learned counsel for the petitioner has made a categorical statement about the calculations made by the respondents are acceptable to the petitioner-Corporation.

3. As per the pursis filed by the respondent and letter issued by the petitioner-Corporation dated 3rd

August, 2023, it is evident that the respondent has received Rs.2,33,354/- in excess to her entitlement.

4. Accordingly, the writ petition is disposed of.

5. The petitioner-Corporation is permitted to initiate the proceeding for recovery of the amount, if the respondents on their own voluntarily do not deposit the excess amount within two months with the petitioner-Corporation.

6. It is further made clear that in such recovery proceeding, the Authority may consider the recovery along with interest, in case on failure of the respondent nos. 1 to 5 to deposit the amount to the petitioner-Corporation within stipulated period.

[ANIL S. KILOR, J.]

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by
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KUTTAN NAIR
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