



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2160 OF 2024

Sangita w/o Prakash Pardeshi

.. Petitioner

Versus

The Chief Executive Officer & others

.. Respondents

Mr. P. B. Patil, Advocate for the Petitioner.

Mr. V. V. Gujar, Advocate for Respondent Nos. 1 to 5.

Mr. S. K. Tambe, AGP for the State.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 29th FEBRUARY, 2024.

PER COURT :

1. The Petitioner is a widow and has suffered recovery vide notice dated 15th December, 2023. An amount of Rs. 5,06,500/- purportedly paid by way of a mistake to her deceased husband, is sought to be recovered from her on the ground of wrong pay fixation. It is further canvassed that no notice of hearing for revision of the pay fixation was issued to her.

2. In view of the above, this Writ Petition is partly allowed. The impugned notice dated 15th December, 2023 is quashed and set aside. The amount of Rs.5,06,500/- shall be repaid by the Zilla

Parishad to the Petitioner within a period of 45 days, failing which, the amount shall carry simple interest at the rate of 6% per annum till the amount is repaid.

3. We make it clear that if the Zilla Parishad desires to revise the pay scale, appropriate notice of hearing shall be issued to the Petitioner and a reasonable opportunity for explaining her stand, would be granted. This order is restricted only to the extent of the recovery towards the purported excess payment and no any other recovery issue.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

dyb