



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

WRIT PETITION NO. 9579 OF 2024

**RAJENDRA CHAMPALAL LOHADE
VERSUS
BANK MANAGER BANK OF MAHARASHTRA**

.....
Advocate for the Petitioner : Mr. A.D. Sonkawade h/f.Lohade Akshay Pawan
AGP for Respondents/State : Mr. S.K. Tambe
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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 4th September, 2024**

PC. :-

1. The Petitioner has attempted to mislead the Court by mentioning that his pension amount is only Rs.14,950/-. The fact of commutation of pension which fetched the Petitioner an amount of Rs.6,29,192/-, is not divulged and therefore, suppressed from us.

2. A Recovery certificate was issued under Section 101 of the M.C.S. Act, 1960 on 26.03.2021. The mode of repayment was admittedly through the salary payments. The Petitioner retired and therefore, payment of salary has stopped. By commutation of pension, the Petitioner's monthly pension is reduced to Rs.14,950/- and the amount of Rs.6,29,192/- is with the Petitioner. We called upon the Petitioner to

deposit Rupees Five Lakhs in this Court to show his *bona fides*. The Petitioner has refused.

3. In view of the above and considering the suppression of material information from the Court, **this Writ Petition is dismissed** in the light of **Kishore Samrite V/s. State of Uttar Pradesh; (2013) 2 SCC 398** and **Bhaskar Laxman Jadhav & Ors. V/s. Karmaveer Kakasaheb Wagh Education Society; AIR 2013 SC 523**.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]