



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 729 OF 2024

Dipak Dilip Desale Since Deceased Through His Lrs Lalita Deepak
Desale Alias Lalita Suresh Bagul

....Petitioner

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others
.....Respondent

.....

Advocate for the Petitioner : Mr. Y. B. Bolkar

AGP for Respondent Nos. 1 and 2 : Mrs. R. R. Tandale

Advocate for Respondent Nos. 3 and 4 : Mr. M.S. Sonawane

...

CORAM : S. G. MEHARE, J.

DATE : 23.01.2024

PER COURT :

1. Heard the learned respective counsels.
2. Both parties agree that the issue involved in this Writ Petition has been covered by the judgment of this Court in **Writ Petition No 10599 of 2019 dated 27.08.2019 Sanjay Yuvraj Vaidya Through LRS Varsha Sanjay Vaidya Versus The State of Maharashtra And Others.** This Court by above order has modified the punishment.

3. Both the parties agrees that similar order may serve the purpose. In view of the submissions mentioned above, the following order is passed with direction.

ORDER

- (a) The petition is partly allowed.
- (b) The impugned order of punishment is converted in the order of punishment of stoppage of one increment for one year, simplicitor.
- (c) Consequentially, the respondent/ Zilla Parishad shall calculate the amounts, which are to be recovered pursuant to the above stated punishment and shall refund the excess amount to the widow within eight weeks from today.
- (d) Since the employee has passed away, his pensionary/retiral benefits shall be re-calculated by virtue of the modified order of punishment by the respondent/ Zilla Parishad and take effective steps to process the papers within 12 (twelve) weeks from today.

(S. G. MEHARE)
JUDGE

ysk