



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1247 of 2024

Sanjiv Kumar S/o Liladhar Bisen and others Versus State of Maharashtra and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri S.A. Walde, Counsel for Petitioners.

Ms K.R. Deshpande, Assistant Government Pleader for Respondent No.1.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : 5th MARCH, 2024

1. Heard.
2. It is claimed that the petitioners are Class-III and IV employees of the respondent No.2-Zilla Parishad, Gondia. The petitioner Nos.1 to 29 are retired and the petitioner Nos.30 to 32 are on the verge of retirement. Despite the said fact, the respondent No.2 has initiated the proceedings for recovery of the amount. The learned counsel for the petitioners submits that in view of the law laid down by the Hon'ble Supreme Court in the case of *State of Punjab and others Versus Rafiq Masih (White Washer)*, reported in 2014(4) SCC 334, the recovery of amount is not permissible.
3. In view of above, issue notice before admission to the respondents, returnable on 25-4-2024.
- 4, Ms K.R. Deshpande, learned Assistant Government Pleader, waives service of notice for the respondent No.1.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)