

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 3539 OF 2022

THE CHIEF EXECUTIVE OFFICER
VERSUS
SUNDARABAI VISHWASRAO PATIL (SONAWANE)

...

Advocate for the Petitioner : Mr. Nilesh N. Desale
Advocate for Respondent No. 1 : Mr. Vaibhav D. Karande h/f Mr. Paresh
B. Patil (Borse)

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 02.12.2025

PER COURT :

1. Heard Mr. Nilesh N. Desale, learned Counsel for the petitioner and Mr. Vaibhav D. Karande h/f Mr. Paresh B. Patil (Borse), learned Counsel for the respondent.
2. The petitioner assails the order dated 05.03.2012¹ passed below Exh. O-4, by the Industrial Court, Dhule in Complaint ULP No. 61 of 2016, whereby, the Complaint filed by the respondent herein came to be allowed.
3. The learned Counsel for the petitioner submits that recovery proceedings were initiated against the respondent employee as there were some legal dues towards her and amount was to be recovered through her pension since 2001. He further submits that learned Industrial Court did not consider the fact that the some amount was payable by respondent employee to the petitioner but the same was not

considered by the learned Industrial Court. Therefore, on that ground, he submits that the industrial Court has committed apparent error while passing order.

4. I have heard the learned Counsel for the petitioner and after going through the order passed by the learned Industrial Court, it reveals that the recovery ordered by the Zilla Parishad since 2001 was not proper.

5. As the amount was paid to the employee while she was working, there was no reason to initiate recovery proceeding against her. As far as other benefits are concerned, those are already granted. I am of the view that action taken by the Zilla Parishad is not proper and the learned Industrial Court has rightly considered the matter.

6. Thus, I find that there is no perversity in the order dated 05.03.20121 passed below Exh. O-4, by the Industrial Court, Dhule in Complaint ULP No.61 of 2016, to interfere with the said order under Article 227 of the Constitution of India. Hence the petition is dismissed. No order as to the costs.

(SIDDHESHWAR S. THOMBRE, J.)

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