



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

WRIT PETITION NO. 1969 OF 2016

Sarla Amrat Wasawe And Others
VERSUS
The State Of Maharashtra And Another

Mr.V.R.Bhumkar, Advocate for petitioners
Mr.A.S.Shinde, AGP for respondent no.1

**CORAM : R.G.AVACHAT AND
PRAFULLA S. KHUBALKAR, JJ.**
DATE : MARCH 28, 2025

ORDER :-

Heard learned counsel for the petitioners.

2. The petitioners have challenged the letters/ communications dated 07.07.2015 and 27.07.2014, issued by respondent no.2, by which directions are issued to recover the amount from the petitioners. The petitioners' basic contention is that the decision of the respondent to make recovery is based on the letters dated 05.02.2007, 20.03.2015 and 06.04.2015, issued by the respondents to various employees. It is submitted that the decision of the respondents based on the letter dated 05.02.2007 and other communications, was subject-matter of challenge in Writ Petition

No.9141 of 2015 (Anant Yashwant Rajwade and others Vs. State of Maharashtra and others), which has been decided by this Court at Principal Seat, by judgment dated 25.07.2017. The issue is with respect to the recovery from the pension of the petitioners and stoppage of benefits of time-bound promotion/Assured Career Progress Scheme granted to the petitioners, on the ground that the payment was made in excess and contrary to the policy.

3. Since the controversy involved in the matter is identical to the controversy involved in the Writ Petition No.9141 of 2015, for the reasons recorded in the judgment dated 25.07.2017 in Writ Petition No.9141 of 2015, we dispose of the instant petition, by setting aside the decision of respondent nos.1 and 2 to recover the amount from the petitioners.

[PRAFULLA S. KHUBALKAR, J.]

[R.G. AVACHAT, J.]

KBP