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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6853 OF 2017

Vitthal Rambhau Mohite

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

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Mr. R. P. Bhumkar, Advocate for the Petitioner
Mrs. V. S. Chaudhari, AGP for Respondent - State
Mr. S. V. Deshmukh, Advocate for Respondents No.2 and 3

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[CORAM : NITIN B. SURYAWANSHI, &
VAISHALI PATIL-JADHAV, J. J.]

DATE : 3rd NOVEMBER, 2025

ORDER :

1. This Petition is filed for following relief:

“B. Issue of writ of mandamus or any other appropriate writ order or direction or writ of mandamus like nature and to direct the respondents to decide the application filed by the petitioner dated 13/01/2016 and refund the amount of Rs.43,747/- with 18% interest till realization of the amount.”

2. The Petitioner stood retired in the year 2006 and at that time, an amount of Rs.43,747/- was withheld from his retiral benefits, on the ground that during his service period, wrong pay scale was granted to him.

3. This Writ Petition is filed in the year 2017 seeking an innocuous direction to the Respondents, to decide the representation made by the Petitioner on 13th January, 2016 and to refund the amount of Rs.43,747/- along with 18 % interest, till realization of the amount.

4. The Respondents have opposed the Petition, by filing reply affidavit, on the ground of suppression of material facts and delay. The Respondents contend that, the Petitioner has deliberately not mentioned date of his retirement, which is 1st January, 2006, when the deduction of the amount was made from his retiral benefits. Since the Writ Petition is filed in the year 2017, there is inordinate delay of 11 years in filing the Writ Petition.

5. Considering the above facts, we are of the view that the Petition suffers from suppression of material facts and inordinate delay and, therefore, the same is dismissed.

[VAISHALI PATIL-JADHAV]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE