



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

71 WRIT PETITION NO. 8151 OF 2024

SARSWATI SAVALERAM VARPE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS

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Advocate for the Petitioner : Mr. Dighe Vitthal Haribhau.

AGP for Respondent/s-State : Mr. P. S. Patil.

Advocate for Respondent Nos.4 & 5 : Mr. Aghav Avinash D.

Advocate for Respondent No.6 : Mr. Girish S. Rane

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CORAM : S. G. MEHARE, AND
SANDIPKUMAR C. MORE, JJ.

DATE : 17.03.2025

PER COURT :-

1. Heard the respective learned counsels.
2. The petitioner was retired in 2018 after 36 years' service as '*Anganwadi Sevika*'. After her retirement, she was entitled to one time benefit of Rs.1,00,000/- under LIC. However, the contesting respondent pointed out that instead of transferring that amount to her account it was inadvertently transferred to account of one Yogiraj Bhikaji Shinge. The contesting respondent did not deny her entitlement. However, they are

coming with the case that after the recovery of amount from one Yogiraj Bhikaji Shinge it would be paid to the petitioner. Learned counsel for the petitioner submits that since 2018, no steps have been taken. Recovery of the amount from said person is uncertain. For the mistake of the office, he should not suffer. Once again, learned counsel for contesting respondent No.4 states that recovery notices has been issued to Yogiraj Bhikaji Shinge. That amount was under the specific scheme. Hence, unless that amount is recovered, the office is unable to pay the amount.

3. Perusal of the matter reveals that since 2018, the petitioner has given time to the contesting respondent to recover the amount, but there is no satisfactory progress in the matter. Respondent No.4 is Zilla Parishad who has the sound financial condition. It would be unjustifiable to keep the petitioner who is 70 years old waiting for further period for her money under the scheme till the amount is recovered. Therefore, we pass the following order :

ORDER

- (i) Writ petition is allowed.
- (ii) Respondent No.4 is directed to pay Rs.1,00,000/- to the petitioner under the scheme mentioned above within four (4) weeks from today and pay the interest if any recovered from Yogiraj Bhikaji Shinge.

(SANDIPKUMAR C. MORE, J.)

(S. G. MEHARE, J.)

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vmk/-