

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3152 OF 2021

Tanaji Sukhadev Patil

.. Petitioner

Versus

The State of Maharashtra and Ors.

.. Respondents

Mr.Laxman S. Deshmukh, Advocate for the petitioner.

Mr.N.C. Walimbe, Addl. G.P with Mrs.PN. Diwan, AGP for the respondent no.1–State.

Mr.Ratan L. Adhe i/b. Mr.Pankaj P. Deokar, Advocate for the respondent nos.2 to 4.

**CORAM: SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATED : 25th JULY 2025.

P.C.:

Pursuant to the order dated 6th August 2024, the respondent–Zilla Parishad was directed to deposit Rs.2,22,776/- in the Registry of this Court.

2. The learned counsel for the petitioner submits that the respondent–Zilla Parishad wrongly deducted Rs.2,22,776/- from the pension of the petitioner, several years after his appointment.

3. The petitioner superannuated from service in 2018 and the recovery of Rs.2,22,776/- has been made from him on the ground that his pay scale as Teacher was wrongly fixed.

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4. In our opinion, the order of recovery made after so many years of appointment would cause serious prejudice to the petitioner and such a practice must be deprecated by the Court. There is no allegation of any misrepresentation or fraud on the part of the petitioner and, therefore, we are inclined to interfere with the order dated 6th August 2024, which is quashed.

5. This writ petition is allowed and the petitioner is permitted to withdraw Rs.2,22,776/-, which is kept in the Registry of this Court.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]