

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

WRIT PETITION NO. 5157 OF 2025

Shri Jarichand Genba Chaudhari & Ors. ... Petitioners
versus
The State of Maharashtra & Ors. ... Respondents

...

Mr.Umesh Kurund for the Petitioners.
Mr.Vikas M. Mali, AGP for Respondent Nos. 1 and 2, State.
Mr.Sumedh S. Modak i/b. Mr.Vijay Killedar for Respondent Nos. 3 to 5-
Zilla Parishad.

...

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 30TH JUNE, 2025

P.C.:-

1. On 13th June, 2025, we had passed the following order :

“1. The learned Advocate for the Petitioners contends that the Petitioners are identically placed with the Petitioners in Shrihari Dadarao Gaikwad and Ors. v/s. The State of Maharashtra and Ors. (Writ Petition No.2756 of 2025, decided on 27th February, 2025). The learned Advocate Mr. Killedar is on the Panel of the Solapur Zilla Parishad. We, therefore, requested him to assist the Court. He submits that he will have to take instructions in this matter and would make a statement on the next date.

2. List this Petition on 30th June, 2025 for hearing and dictation of order.”

2. The learned Advocate for the Zilla Parishad has received written instructions to make a statement before the Court that the present case is squarely covered by the view taken in *Shrihari Dadarao Gaikwad and Ors. (supra)*. A photostat copy of the said communication dated 30th June, 2025 is taken on record and marked as 'X' for identification.

3. Considering the above, we deem it appropriate to reproduce the details of the Petitioners, as under :

Sr. No	Retired Teacher's Name	Age	Computer Recovery	Retired Date	Z.P. School	Permanent Address	Date of Impugned order
1.	Shri Jarichand Genba Chaudhari	58	50222.00	31/5/2024	T.P. Samiti Barshi	Barshi	6/12/2024
2.	Shri Subhash Baburao Jambhale	65	7285.00	31/5/2017	Uplae Dumala	Vairag	2/06/2017
3.	Shri Vinod Keshavrao Devale	65	15019.00	30/11/2017	Mahagaon	Barshi	24/11/2017
4.	Smt. Surekha Dattatraya Salunkhe	63	47058.00	31/1/2020	Vairag	Vairag	28/02/2020
5.	Smt. Anjalidevi Jaganath Zadbuke	61	49234.00	30/4/2021	Shelgaon (R)	Vairag	05/07/2021
6.	Shri Suresh Ganpati Yadav	62	91733.00	31/5/2020	Upale Dumala	Nandani	9/11/2020
7.	Shri Bhagwat Manohar Devakar	58	31894.00	31/5/2024	Padsali	Ambegaon	13/06/2024
8.	Shri Sanjay Chhaburao Gaikwad	54	245969.00	28/2/2023	Yemaitada	Kari	06/12/2024
9.	Smt. Binadevi Kalyan Ukirade	48	42884.00	9/5/2021	Bhalgaon	Agalgaon	01/02/2022
10.	Smt. Sulakshana Kant Kakade	48	49499.00	18/12/2023	Tulshidasnagar	Dhorale	08/05/2024

4. In view of the above, and in light of the view taken in *Shrihari Dadarao Gaikwad and Ors.* (supra), as well as in several similar orders passed by this Court (some of which are in the Petition paper-book), **this Writ Petition is partly allowed.** All the impugned orders are quashed and set aside.

5. The amounts recovered from the Petitioners shall be refunded to them within a period of 60 days from today, failing which, the said amounts shall attract interest at the rate of 5% per annum, from the date of this order till the actual payment and the interest amount shall be paid from the salary of the officer responsible for the delayed payment.

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)