2026:BHC-AUG:51906

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 WRIT PETITION NO. 1127 OF 2024

Vijaysing Namdeo Patil
VERSUS
The State Of Maharashtra Through Principal Secretary And Others

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Mr.Amol Sawant, Advocate for petitioner
Mr.K.B.Jadhavar, AGP for respondent nos.1 and 2
Mr.Jayashree Gite, Advocate for respondent no.3

CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 23, 2026

ORDER :-

Considering the controversy in the matter a restricted prayer is offered during the course of argument which based on the view taken by this court in number of Writ Petitions, lastly vide order dated 02.02.2023 in Writ Petition No.3867 of 2019, present Writ Petitin is heard final disposal at admission stage.

2. The petitioner suffered minor punishment of withholding of his one increment with permanent effect for violating the conditions in the letter of instructions dated 28.03.2011. The petitioner was serving as a Cluster Head with Zilla Parishad Centre, Erandol. While the Central Government implemented a scheme to serve all the students within the school limit without any charge, the said schme was to be

implemented through the present petitioner. It was revealed by the higher authorities that the petitioner bought uniforms stitched from another *Mahila Bachat Gat* instead of a *Bachat Gat* from local place. An enquiry was conducted which ultimately resulted into punishment as above. The petitioner challenged the punishment in appeal. The appeal was turned down. The Review Proceedings also came to be rejected by the State Authorities. Thus, the petitioner is before this Court.

3. When the matter is taken up for hearing, Mr.Sawant learned advocate invites my attention to the **order dated 02.02.2023 passed by this Court in Writ Petition No.3867 of 2019 (Narayan Shalik Borse Vs. State of Maharashtra and ors.)**. This Court placing reliance on the order dated 19.02.2019 passed in Writ Petition Nos.11403 of 2019 and 11404 of 2019, allowed the said Writ Petition thereby converting the punishment in the nature of withholding of one increment of the petitioner therein for one year simplicitor. Mr.Sawant submits that the case of the presetnt petitioner is squarely covered by the said order. He submits that soon after imposition of the penalty, within three months the petitioner has been superannuated.

4. I have gone through the text of the order tendered by Mr.Sawant, learned advocate for the petitioner. I am in full agreement with the view expressed by this court in the cited order. No more ground is made out by the other side to take a different view or to disagree with the said order.

5. In view of the above, the Writ Petition is partly allowed in the following terms :-

A) The impugned order dated 29.01.2013 passed by the Chief Executive Officer, Zilla Parishad Jalgaon, is converted into an order of punishment in the nature of withholding of one increment for one year simplicitor.

B) Consequentially, the Respondent / Zilla Parishad shall calculate the amounts, which are to be recovered towards the fulfillment of the above stated modified punishment and shall refund the excess amounts to the petitioner, within eight weeks from today.

[AJIT B. KADETHANKAR, J.]

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KBP