



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 5060 OF 2024

SAU. SUNANDA W/O DHANRAJ REWATKAR

Vrs.

THE STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Bhavya C. Dhruv, Advocate for petitioner.
Shri I. J. Damle, A. G. P for respondent Nos.1 to 5.

**CORAM: ANIL S. KILOR AND
RAJ D. WAKODE, JJ.**

DATE : 18/03/2026

1. By the present petition, the petitioner is seeking compliance of order dated 20/12/2013 passed by the Additional Commissioner, Nagpur directing the respondent Nos.2 to 4 to return back 75% amount to the tune of Rs.57,973.50 along with interest, which was recovered as unearned income from the petitioner.

2. From the prayer clauses, it is evident that despite lapse of 13 years, there is no compliance of the said order. The only justification which is put-forth by the respondents is that, a request was made in the year 2017 to file review application and yet, permission is not granted.

3. Shri Damle, learned AGP tried to canvass before this Court how the said order is not sustainable in the eyes of law. Such argument as made by learned AGP

cannot be considered as the order which is sought to be complied with has already attained finality in absence of any challenge raised to the said order.

4. In the circumstances, the order passed by the Commissioner has to be complied with by respondent No.2 to 4.

5. In the circumstances, we allow the present writ petition in the above referred backdrop and direct the respondent Nos.2 to 4 to comply the order of the Additional Commissioner, Nagpur dated 20/12/2013 in its letter and spirit within a period of three months from today, if there is no any other legal impediment. If there is legal impediment, the same shall be communicated within three weeks from the date of production of order.

6. If the order is not complied with within above referred stipulated period, the respondent Nos.2 to 4 shall pay Rs.1,00,000/- as compensation for the mental agony and harassment caused to the petitioner.

7. The learned counsel for the petitioner undertakes to communicate this order within two weeks from today.

[JUDGE]

[JUDGE]