

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.

WRIT PETITION NO. 5242 OF 2018

Chotubai Laxman Dhantole ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

..
Shri. Estling S. Murge, Advocate for the petitioner
Shri. S. B. Ghute, Advocate for respondents No. 2 & 3
..

**CORAM : S. V. GANGAPURWALA
AND
A. M. DHAVAL, JJ.**

DATE : 18TH APRIL, 2019

ORAL ORDER:

1. It is submitted that, petitioner in this Writ Petition is awarded certificate of excellent work and advance increment in the year 2008. He was given benefit of advance increment and same was also paid. However, now for some of the petitioners recovery is claimed and for some of the petitioners benefit is not extended. If the petitioner is already granted certificate of excellent work in the year 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.

2. The same view was taken by us in Writ Petition No. 1954 of 2018 with other connected Writ Petitions under order dated 25.01.2019.

3. The Government Resolution dt. 24.08.2017 will have prospective effect and not retrospective and in that case benefit that was accorded to petitioner of excellent work in the year 2008 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioner expeditiously.

4. In light of the above, Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde