

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

988 WRIT PETITION NO.6309 OF 2019

KANTILAL SOPAN LAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

AND

1054 WRIT PETITION NO.6380 OF 2019

SANTOSH FULSING RAJPUT AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

1064 WRIT PETITION NO.6390 OF 2019

ARVIND DIGAMBAR DHANURE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

1085 WRIT PETITION NO.6413 OF 2019

ANKUSH MANIKRAO PHAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

AND

1092 WRIT PETITION NO.6421 OF 2019

VALMIK ROHIDAS MARATHE PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

AND

1121 WRIT PETITION NO.6451 OF 2019

BALU LAXMANRAO DAPKE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Mr. S.K.Mathpati, Advocate for Petitioners.

Mr. K.N.Lokhande, Mr. A.B.Girase, Mr. K.B.Jadhawar, Mrs. M.A.Deshpande, AGP & GP for Respondents-State.

Mr. K.B.Jadhawar, Advocate for Respondent Nos.4 & 5 in WP/6309/19.

Mr. Suhash B. Ghute, Advocate for Respondent No.5 & 6 in WP/6380/19.

Mr. D.S.Mali, Advocate for Respondent Nos.5 & 6 in WP/6390/19.

Mr. K.B.Jadhawar, Advocate for Respondent Nos.5 & 6 in WP/6413/19.

Mr. M.S.Sonawane, Advocate for Respondent Nos.6 & 7 in WP/6421/19.

Mr. Suhash B. Ghute, Advocate for Respondent No.4 & 6 in WP/6451/19.

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**CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 6th June, 2019

PER COURT :-

1. It is submitted that petitioners in these Writ Petitions are awarded certificate of excellent work and advance increments in the year 2006 to 2009. They were given benefit of advance increments 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the petitioners are already granted certificate / order of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent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 dated 24.08.2017 will have prospective effect and not retrospective and in that case benefit that was accorded to petitioners of excellent work in the year 2006 to 2009, shall not be withdrawn and if any recover is made pursuant to the same, same shall be refunded to the petitioners.

4. In the light of the above, Writ Petitions are disposed of.
No costs.

(MANGESH S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

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vmk/-