

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

WRIT PETITION NO. 6317 OF 2019

Vijaykumar Sambayya Mathpati and others	... Petitioners
Versus	
The State of Maharashtra and others	... Respondents

**WITH
WRIT PETITION NO. 6403 OF 2019**

Suhas Prabhakarrrao Dharasurkar and others	... Petitioners
Versus	
The State of Maharashtra and another	... Respondents.

**WITH
WRIT PETITION NO. 6429 OF 2019**

Apparao Fakira Hirve and others	... Petitioners
Versus	
The State of Maharashtra and others	... Respondents

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Mr. S. B. Sontakke, Advocate for petitioners.
 Mr. A. B. Girase, Govt. Pleader for the State in W.P.No.6317/2019.
 Mr. S. B. Pulkundwar, AGP for the State in W.P.No.6403/2019.
 Mr. P. K. Lokhande, AGP for the State in W.P.No.6429/2019.

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

DATED : 06th 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 If the petitioners are already granted certificate of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case benefit that was accorded to petitioners of excellent work in the year 2006 to 2009, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

4. In the light of the above, the writ petitions are disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

SMS