

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

WRIT PETITION NO. 6710 OF 2019

Arun Kashinath Shirode and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.

Ms. R. P. Gaur, A.G.P. for Respondent Nos. 1 to 3.

Shri A. D. Aghav, Advocate for the Respondent No. 5.

WITH

WRIT PETITION NO. 6715 OF 2019

Shaikh Mushtaque Ahmed Mahemood
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.

Ms. R. P. Gaur, A.G.P. for Respondent Nos. 1 to 4.

Shri S. B. Ghute, Advocate for Respondent Nos. 5 and 6.

WITH

WRIT PETITION NO. 6720 OF 2019

Shaikh Shadul Husen Rukmoddin
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.

Ms. R. P. Gaur, A.G.P. for Respondent Nos. 1 to 4.

WITH

WRIT PETITION NO. 6728 OF 2019

Ambadas Yeduba Jumde .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.
Shri V. S. Badakh, A.G.P. for Respondent Nos. 1 to 4.
Shri S. B. Ghute, Advocate for Respondent Nos. 5 and 6.

WITH

WRIT PETITION NO. 6730 OF 2019

Shivaji Kisan Shirde and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.
Mrs. G. L. Deshpande, A.G.P. for Respondent Nos. 1 to 3.
Shri D. S. Mali, Advocate for the Respondent No. 5.

WITH

WRIT PETITION NO. 6737 OF 2019

Sitaram Bhimrao Pachfule and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for Petitioners.
Ms. R. P. Gaur, A.G.P. for Respondent Nos. 1 to 4.
Shri A. D. Aghav, Advocate for Respondent Nos. 5 and 6.

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

DATE : 11TH JUNE, 2019.

FINAL ORDER :

. 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 If the petitioners are already granted certificate of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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, writ petitions are disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 19