

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

931 WRIT PETITION NO.7715 OF 2019

**DEVIDAS KALIDAS NEMADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioners : Sontakke Sandeep B
AGP for Respondents: R.B.Bagul
Advocate for Respondent no. 3 : S.B.Munde**

...

WITH

932 WRIT PETITION NO.7716 OF 2019

**SUNIL PANDITRAO JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioners : Sontakke Sandeep B
AGP for Respondents: R.B.Bagul
Adv.for R.3. : S.B.Munde**

...

WITH

953 WRIT PETITION NO.7745 OF 2019

**NANASAHEB DANGAL BORSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioners : Sontakke Sandeep B
AGP for Respondents: R.B.Bagul**

...

WITH

954 WRIT PETITION NO.7746 OF 2019

**SUNIL YUVRAJ PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Sontakke Sandeep B
AGP for Respondents: R.B.Bagul**

Advocate for Respondent Z.P.Jalgaon : M.S.Sonawane

...

WITH

978 WRIT PETITION NO.7773 OF 2019

LALIT DAMU DHANDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Sontakke Sandeep B

AGP for Respondents: K.D.Munde

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

DATE : 26/06/2019

PER COURT :

Heard Mr.Sontakke, learned advocate for the petitioners.
Notice. Learned AGP accepts notice for respondent no.1.

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are already granted certificate of excellent work in the year 2006, 2007, 2008 and 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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that case benefit that was accorded to petitioners of excellent work in the year 2006, 2007 , 2008, 2009 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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.)

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