

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

22 WRIT PETITION NO.7984 OF 2019

BABAN BAPURAO SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

23 WRIT PETITION NO.7985 OF 2019

25 WRIT PETITION NO.7987 OF 2019

26 WRIT PETITION NO.7988 OF 2019

37 WRIT PETITION NO.8006 OF 2019

42 WRIT PETITION NO.8011 OF 2019

50 WRIT PETITION NO.8019 OF 2019

WRIT PETITION NO.4454 OF 2019

WRIT PETITION NO.4472 OF 2019

WRIT PETITION NO.536 OF 2019

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

Mr. K.B.Jadhavar, Mrs. M.A.Deshpande, Mr. A.R.Kale, Mr. S.N.Morampalle, Mr. K.N.Lokhande, Mr. S.B.Yawalkar, Mrs. M.A.Deshpande, AGPs for Respondents-State.

Mr. S.B.Ghute, Advocate for Respondent Nos.4 to 6 in WP/7984/19.

Mr. P.R.Tandale, Advocate for Respondent No.5 in WP/7985/19.

Mr. S.B.Ghute, Advocate for Respondent Nos.4 to 6 in WP/7987/19.

Mr. M.S.Sonawane & Mr. R.D.Sonawane, Advocates for Respondent Nos.5 & 6 in WP/7988/19.

Mr. S.B.Ghute, Advocate for Respondent Nos.5 & 6 in WP/8006/19.

Mr. K.B.Jadhavar, Advocate for Respondent No.6 in WP/8011/19.

Mr. S.B.Ghute, Advocate for Respondent Nos.6 & 7 in WP/8019/19.

Mr. Pradeep Tapse Patil, Advocate for Respondent No.5 in WP/536/19.

Mr. V.M.Chate, Advocate for Respondent Nos.4 & 5 in WP.4472/19.

Mr. P.R.Nangare, Advocate for Respondent Nos.4 & 5 in WP.4454/19.

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

DATE : 2nd July, 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the petitioners are already granted certificate / order of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case benefit that was accorded to petitioners of excellent work in the year 2006 to 2009, shall not be withdrawn and if any

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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vmk/-