

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

**902 WRIT PETITION NO. 8493 OF 2019**

Mahadev S/o Shankar Lokhande and Others

.. Petitioners

Versus

The State of Maharashtra and Others

.. Respondents

Mr. E. S. Murge, Advocate for Petitioners.

Mr. S. B. Yawalkar, AGP for Respondents/State.

Mr. R. D. Raut, Advocate for Respondent Nos. 2 and 3.

WITH

**965 WRIT PETITION NO. 9189 OF 2019**

Dilip S/o Sakharam Dhepale and Others

.. Petitioners

Versus

The State of Maharashtra and Others

.. Respondents

Mr. E. S. Murge, Advocate for Petitioners.

Mr. P. K. Lakhotiya, AGP for Respondents/State.

Mr. S. M. Zaware, Advocate for Respondent Nos. 2 and 3.

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

**DATED : 25<sup>th</sup> 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 2008. 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granted certificate of excellent work in the year 2006, 2007 and 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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in that case benefit that was accorded to petitioners of excellent work in the year 2006, 2007 and 2008, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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 )**  
**JUDGE**

**( S. V. GANGAPURWALA )**  
**JUDGE**

PS.B.