IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 WRIT PETITION NO.9590 OF 2019

VIJAYSING SARDARSING PATIL AND OTHERS
..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

…

Mr. E. S. Murge h/f Mr. Sandeep B. Sontakke, Advocates for the Petitioners.
Mr. A. R. Kale, AGP for Respondents-State.
Mr. G. D. Jain h/f Mr. M. S. Sonawane, Advocate for Respondent Nos.2 and 3.

…

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

DATED : 01st AUGUST, 2019.

PER COURT:-

1. It is submitted that, petitioners in this writ petition are awarded certificate of excellent work and advance increments in the year 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 If the petitioners are already granted certificate of excellent work in the year 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case benefit that was accorded to petitioners of excellent work in the year 2008, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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, the writ petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/August-19