

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

WRIT PETITION NO. 10827 OF 2019

Ashok S/o Anandrao Pupalwad

.. Petitioner

Versus

The State of Maharashtra and Others

.. Respondents

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

Mr. P. S. Patil, Addl. G. P for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATED : 03rd SEPTEMBER, 2019.

PER COURT:-

1. It is submitted that, petitioner in this Writ Petition is awarded certificate of excellent work and advance increments in the year 2008. He was given benefit of advance increments and same was also paid. However, now recovery is claimed. If the petitioner is already granted certificate of excellent work in the year 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case if benefit was accorded to petitioner of excellent work in the year 2008, same shall not be withdrawn

and if any recovery is made pursuant to the same, same shall be refunded to the petitioner.

4. In the light of the above, Writ Petition is disposed of. No costs.

(ANIL S. KILOR)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.