

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11009 OF 2019

ANANT GANGARAM BHOSALE

...PETITIONER

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

...RESPONDENTS

Mr. D.S. Kudle, Advocate for Petitioner
Mr. S.B. Narwade, AGP for Respondent-State

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

DATE : 19th SEPTEMBER, 2019

ORAL ORDER:

1. It is submitted that, petitioner in this writ petition is awarded certificate of excellent work and advance increment in the year 2009. He was given benefit of advance increment and same was also paid. However, now for some of the petitioners recovery is claimed and for some of the petitioners benefits is not extended. If the petitioner is already granted certificate of excellent work in the year 2009, then the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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retrospective and in that case benefit that was accorded to petitioner of excellent work in the year 2009 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioner.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

mta