

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11464 OF 2019

SUBHASH HARIHARRAO GORE
AND OTHERS

...PETITIONERS

VERSUS

THE STATE OF MAHRASHTRA
AND OTHERS

...RESPONDENTS

Mr. S.B. Sontakke, Advocate for Petitioners
Mr. A.B. Girase, Government Pleader for Respondents-State
Mr. P.P. Dama, Advocate for Respondent No. 2

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

DATE : 19th SEPTEMBER, 2019

ORAL ORDER:

1. It is submitted that, petitioners in this writ petition 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 If the petitioners are already granted certificate of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 perspective 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and in that case benefit that was accorded to petitioners of excellent work in the year 2006 to 2009, shall not be withdrawn and if any recovery is made pursuant to the same, the same shall be refunded to the petitioners.

4. In the light of the above, the writ petition is disposed of. No costs.

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

mta