

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

WRIT PETITION NO.11531 OF 2019

Vyankat Shrirang Ghodake and ors. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4
Mr P.R. Tandale, Advocate for respondent no.5

- AND -

WRIT PETITION NO.11533 OF 2019

Arjun s/o Peeraji Maske and ors. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4
Mr P.R. Tandale, Advocate for respondent no.5

WRIT PETITION NO.11535 OF 2019

Prakash s/o Vishwanath Khandre
and ors. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 5

WRIT PETITION NO.11548 OF 2019

Pramod s/o Ramesh Hudge and ors. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4
Mr P.R. Tandale, Advocate for respondent no.5

WRIT PETITION NO.11553 OF 2019

Shankarrao s/o Vitthalrao Gaiwat
and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4

WRIT PETITION NO.11632 OF 2019

Ajit /o Shesherao Chavan and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents

WRIT PETITION NO.10849 OF 2019

Mohan s/o Govindrao Jadhav and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Mr S.K. Mathpati, Advocate for petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4
Mr P.R. Tandale, Advocate for respondents no.5 and 6

WRIT PETITION NO.10063 OF 2019

Gangadhar s/o Balanna Enadle
and ors.

..Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Mr S.K. Mathpati, Advocate ofr petitioners
Mr P.G. Borade, A.G.P. for respondents no.1 to 4
Mr P.R. Tandale, Advocate for respondent no.5

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

DATE : 21.09.2019

ORAL ORDER :

1. It is submitted that petitioners in these writ petitions 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/order 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 prospective 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, same shall be refunded to the petitioners.
4. In the light of the above, Writ Petitions are disposed of. No costs.

(ANIL S. KILOR, J.)**(S.V. GANGAPURWALA, J.)**

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