

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

WRIT PETITION NO. 12358 OF 2019

Nana Fakira Jadhav and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Kamlakar J. Suryawanshi, Advocate for Petitioners.

Shri K. B. Jadhavar, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : 16TH OCTOBER, 2019.

FINAL ORDER :

. The learned counsel for petitioners and the learned Assistant Government Pleaders are at consensus that the petitioners are similarly situated as the petitioners in Writ Petition No. 12699 of 2018 with with other connected Writ Petitions decided vide order dated 03.04.2019.

2. In view of that, we follow the same course and pass the following order :

I] It is submitted that, petitioners in this Writ Petition are awarded certificate of excellent work and advance increments on 16.05.2009. However were given benefit of advance increments. If the petitioners are already granted certificate of excellent work

on 16.05.2009, the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.

II] 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.

III] The Government Resolution dated 24/8/2017 will have prospective effect and not retrospective and if benefit was accorded to petitioners of excellent work in the year 2006, 2007 and 2008, shall not be withdrawn.

IV) As petitioners were not actually given the increments as per order dated 16.05.2009, we direct that the petitioners be given notional benefits till this date and the actual benefits shall be given from the date of this order.

3. In view of the above, the writ petition is disposed of.

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]