

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13206 OF 2019

GANPAT BABURAO GORE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Sontakke Sandeep B.
AGP for Respondent No. 1 : Mr. P. G. Borade
Advocate for Respondents No. 2 & 3 :
Mr. R. D. Raut

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17 WRIT PETITION NO.13220 OF 2019

PRADIP SHIVAJIRAO BHORE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Ghute Suhas B.
AGP for Respondent No. 1 to 4 : Mr. S. B. Narwade
Advocate for Respondents No. 5 & 6 :
Mr. R. D. Raut

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CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE: 04th NOVEMBER, 2019

PER COURT:

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. The 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 If the petitioners are already granted certificate of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 prospective effect and not retrospective and in that case benefit that was accorded to the petitioner of excellent work in the year 2006 to 2009, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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 above, writ petitions are disposed off. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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