

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

927 WRIT PETITION NO. 14586 OF 2019

Sayyed Shabbir Bahadur

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. S. K. Mathpati, Advocate for Petitioner.

Mr. A. B. Girase, G. P. for Respondents-State.

Mr. P. R. Tandale, Advocate for Respondent Nos. 7 and 8.

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Jivan Apparao Phawade

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

DATED : 04th DECEMBER, 2019.

PER COURT:-

1. It is submitted that, petitioners in these writ petitions are holders of District awardee certificate and advance increments are granted in the year 2008. They were given benefit of advance increments and same was also paid. However, now recovery is claimed from the

petitioners. If the petitioners are already granted District awardee certificate in the year 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 04.09.2018 will have prospective effect and not retrospective and in that case benefit that was accorded to the petitioners of excellent work in the year 2008, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.