

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12699 OF 2018

Ravindra Vana Patil

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. G.S. Rane, Advocate for Petitioner

Mr. S.K. Tambe, Assistant Government Pleader
for Respondents/State

Ms. Nayana D. Patil, Advocate for Respondent No. 2

WITH
WRIT PETITION NO. 14950 OF 2017

Yogesh Jayajirao Patil and Ors.

...Petitioners

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Shivkumar K. Mathpati, Advocate for Petitioners

Mr. S.K. Tambe, Assistant Government Pleader
for Respondents/State

Mr. S.N. Suryawanshi, Advocate holding for

Mr. N.B. Suryawanshi, Advocate for Respondent Nos. 9 and 10

WITH
WRIT PETITION NO. 15110 OF 2017

Pratibha Kashinath Patil and Ors.

...Petitioners

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. S.B. Sontakke, Advocate for Petitioners

Mr. S.K. Tambe, Assistant Government Pleader
for Respondents/State

Mr. S.N. Suryawanshi, Advocate holding for
Mr. N.B. Suryawanshi, Advocate for Respondent Nos. 2 and 3

WITH
WRIT PETITION NO. 15119 OF 2017

Rajendra Vitthal Dhake and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. S.B. Sontakke, Advocate for Petitioners
Mr. S.K. Tambe, Assistant Government Pleader
for Respondents/State
Mr. S.N. Suryawanshi, Advocate holding for
Mr. N.B. Suryawanshi, Advocate for Respondent Nos. 2 and 3

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 3rd APRIL, 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 2008. 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the petitioners are already granted certificate of excellent work in the year 2006, 2007 and 2008, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 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in that case benefit that was accorded to petitioners of excellent work in the year 2006, 2007 and 2008, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.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.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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