IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14384 OF 2019

Chandrakant Baburao Narale and Another .. Petitioners

Versus

The State of Maharashtra and Others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for Petitioners.
Mr. S. G. Sangle, AGP for Respondents-State.

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

DATED : 28th NOVEMBER, 2019.

PER COURT:-

1. The learned counsel for the petitioners and the learned Assistant Government Pleader are at consensus that the petitioners are similarly situated as the petitioners in Writ Petition No. 12699 of 2018 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 given advance increments in the year 2007 for excellent work. 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 If the petitioners are already given advance increments in the year 2007 for excellent work, the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 24.08.2017 will have prospective effect and not retrospective and if benefit was accorded to petitioners of excellent work in the year 2007, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

3. In the light of the above, Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.