

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
17 WRIT PETITION NO.14420 OF 2019**

SARASWATI KONDIBA ADHAV ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

**WITH
21 WRIT PETITION NO.14425 OF 2019**

KADUBA HIRACHAND DHAKARE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

**WITH
35 WRIT PETITION NO.14441 OF 2019**

TRIMBAK WALUBA SONAWANE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Vitthal G. Salgare, Advocate for the
Petitioners.

Mr. A. B. Girase, Government Pleader for
Respondents-State.

Mr. S. R. Dheple, Advocate for Respondent Nos.4 and
5.

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

DATED : 02nd DECEMBER, 2019.

PER COURT:-

1. It is submitted that, petitioners in these
Writ Petitions are awarded certificate of excellent
work and advance increment in the year 2009. They

were given benefit of advance increment 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 If the petitioners are already granted certificate of excellent work in the year 2007, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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retrospective and in that case benefit that was accorded to petitioners of excellent work in the year 2007 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

4. In light of the above, Writ Petitions are disposed of. No costs

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE