

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

910 WRIT PETITION NO.14892 OF 2019

VATSALA CHATURBHUI GHADGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mrs. Mapari Savita G.
AGP for Respondent-State : Mr. P N. Kutti.
Advocate for Respondent Nos.2 & 3 : Mr. R.D.Raut.

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

DATE : 11.12.2019

PER COURT :-

1. It is submitted that the petitioner is awarded certificate of excellent work and advance increments in the year 2007. He was given benefit of advance increments and the same was also paid. However, now the recovery is claimed.
2. If the petitioner is already granted certificate of excellent work in the year 2007, then the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.
3. The same view was taken by this court in Writ Petition No.1954 of 2018 with other connected Writ Petitions under order dated 25.01.2019.

4. 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and in that case benefit that was accorded to the petitioner of excellent work in the year 2007, shall not be withdrawn and if any recovery is made pursuant to the same, the same shall be refunded to the petitioner.

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

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)

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vmk/-