

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

22 WRIT PETITION NO.1797 OF 2020

DAYANAND PRABHAKAR PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

WITH
23 WRIT PETITION NO.1798 OF 2020

MULLA HYDER KASHIM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Shri Bhosale Sanjaykumar B.
AGPs for Respondents/ State : Shri S.B.Narwade and Mrs.G.L.Deshpande

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**CORAM : S.V. GANGAPURWALA
&
SHRIKANT D. KULKARNI, JJ.**

DATE :- 28th January, 2020

Per Court :-

1 It is submitted that the petitioners are awarded the certificates of excellent work and advance increments. They were given the benefits of advance increments and same was also paid. However, now for some of the petitioners, the recovery is claimed and for some of the petitioners, benefit is not extended. If the petitioners are already granted the certificates of excellent work in 2006 and 2007, then, same cannot be withdrawn retrospectively on the basis of subsequent Government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.1954/2018 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case, the benefits that were accorded to the petitioners of excellent work in the years 2006 and 2007, shall not be withdrawn and if any recovery is made pursuant to the same, the same shall be refunded to the petitioners.

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

kps

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)