

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

WRIT PETITION NO. 3778 OF 2020

Babu Dattatray Giri .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3779 OF 2020**

Subhash Bhagwanrao Rajurkar
and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3780 OF 2020**

Namdeo Damaji Rathod and others .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 3781 OF 2020**

Uttam Govindrao Hande and others .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Shri Shivkumar K. Mathpati, Advocate for the Petitioner in all matters.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 3 in all matters.

Shri P. R. Tandale, Advocate for the Respondent No. 4 in all matters.

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

DATE : 11TH MARCH 2020.

FINAL ORDER :

. It is submitted that petitioners in these Writ Petitions are awarded certificate of excellent work and advance increments in the year 2006 to 2009. 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the petitioners are already granted certificate /order of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case benefit that was accorded to petitioners of excellent work in the year 2006 to 2009, shall not be withdrawn and if any recover is made pursuant to the same, same shall be refunded to the petitioners.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.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]
bsb/March 20