

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

WRIT PETITION NO. 1576 OF 2020

AVINASH BALU SONKAMBLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Sontakke Sandeep B
AGP for Respondents : Mrs. G. L. Deshapnde

...

WRIT PETITION NO. 1577 OF 2020

ARUN BABURAO BADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioners : Mr. Sontakke Sandeep B
AGP for Respondents : Mrs. G. L. Deshapnde

...

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

DATE: 23rd JANUARY, 2020

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:

3. It is submitted that, petitioners in these writ petitions are awarded certificate of excellent work and advance increments in the year 2007 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the petitioners are already granted certificate of excellent work in the year 2007, 2008 and 2009, the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.

4. 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.

5. The Government Resolution dated 24.08.2017 will have prospective effect and not retrospective and if benefit was accorded to the petitioners of excellent work in the year 2007, 2008 and 2009 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

6. In light of the above, writ petitions are disposed of. No costs.