

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

WRIT PETITION NO.3651 OF 2020

Shankar s/o Ankush Hingmire
and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

..Respondents

Mr E.S. Murge, Advocate for petitioners
Mrs V.N. Patil – Jadhav, A.G.P. for respondents

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

DATE : 5th March 2020

ORAL ORDER :

1. It is submitted that the petitioners in this writ petition are awarded certificate of excellent work and advance increments in the year 2006 to 2008. They are given benefit of advance increments and the same were also paid. However, now the recovery is claimed and benefit is not extended. If the petitioners are already granted certificates of excellent work in the year 2006 to 2008, then the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 25.1.2019.

3. The Government Resolution dated 24.8.2017 will have prospective effect and not retrospective and in that case benefit that was accorded to the petitioners of excellent work in the years 2006, 2007, 2008 shall not be withdrawn and if any recovery is made pursuant to the same, the same shall be refunded to the petitioners.

4. In light of above, Writ Petition stands disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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