

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

WRIT PETITION NO. 3830 OF 2020

Kalpana Vijay Joshi

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sandeep B. Sontakke, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 and 2.

Shri S. B. Ghute, Advocate for Respondent Nos. 3 and 4.

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

DATE : 11TH MARCH 2020.

FINAL ORDER :

. It is submitted that, petitioner is awarded certificate of excellent work and advance increment in the year 2009. She was given benefit of advance increment and same was also paid. However, now said benefit is not extended to the petitioner. If the petitioner is already granted certificate of excellent work/advance increment in the year 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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and in that case benefit that was accorded to petitioner of excellent work/advancement in the year 2009, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioner.

4. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/March 20