

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

916 WRIT PETITION NO.335 OF 2020

PRAMOD BABURAO DIXIT AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER ..RESPONDENTS

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Ms. Suchita S. Dhongde Upadhyaya, Advocate for the
Petitioners.

Mr. V. M. Kagne, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 08th JANUARY, 2020.

PER COURT:-

1. The learned Counsel for petitioners and the learned Assistant Government Pleader are at consensus that petitioners are similarly situated as petitioners in Writ Petition No.12699 of 2018 with other connected Writ Petitions decided vide order dated 04.04.2019.

2. In view of that, we follow the same course and pass the following order :

ORDER

(I) It is submitted that petitioners in the instant petition are awarded certificate of excellent work and advance increments in the year 2006 to 2008. They were given benefit of advance increments and the 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the petitioners are already granted certificate of excellent work in the year 2006, 2007 and 2008, the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.

II) 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.

III) The Government Resolution dated 24.08.2017 will have prospective effect and not retrospective and if benefit was accorded to petitioners of excellent work in the year 2006, 2007 and 2008, shall not be withdrawn and if any recovery is made pursuant to the same, the same shall be refunded to the petitioners.

3. In light of the above, Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE