

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

WRIT PETITION NO. 15526 OF 2019

Bhagwat Manik Chaudhari .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Harkal Prakash R., Advocate for the Petitioner.

Shri A. r. Kale, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 02ND JANUARY, 2020.

FINAL ORDER :

. The learned counsel for the petitioner and the learned Assistant Government Pleaders are at consensus that the petitioner is similarly situated as the petitioners in Writ Petition No. 12699 of 2018 with 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 :

I] It is submitted that, petitioner in this Writ Petition is awarded certificate of excellent work and advance increments in the year 2009. He was given benefit of advance increments and same was also paid. However, now recovery is claimed against the

petitioner. If the petitioner is already granted certificate of excellent work in the year 2009, the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 24/8/2017 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and if benefit was accorded to petitioners of excellent work in the year 2006, 2007 and 2008, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

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

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 20