

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

912 WRIT PETITION NO.2662 OF 2021

RAMCHANDRA VISHNU GAIKWAD AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA THR ITS SECRETARY AND
ANOTHER ..RESPONDENTS

...

Mr. Estling S. Murge, Advocate for the Petitioners.
Mr. S. G. Karlekar, AGP for Respondents-State.
Mr. V. M. Vibhute, Advocate for Respondent No.2.

...

AND

925 WRIT PETITION NO.2679 OF 2021

RAJKUMAR SIDRAM GAIKWAD DIED THROUGH LRS MANDAINI
RAJKUMAR GAIKWAD ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

WITH

WRIT PETITION NO.2680 OF 2021

GAUTAM LAXMAN SONTAKKE AND OTHERS ..RESPONDENTS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Estling S. Murge, Advocate for the Petitioner.
Mrs. V. S. Choudhary, AGP for Respondents-State.
Mr. V. M. Vibhute, Advocate for Respondent Nos.2
and 3.

...

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

DATED : 11th FEBRUARY, 2021.

PER COURT:-

1. It is submitted that, petitioners in these Writ petitions are awarded certificate of excellent work and advance increments in the year 2006 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the petitioners are already granted certificate of excellent work in the year 2006, 2007 and 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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in that case benefit that was accorded to petitioners of excellent work in the year 2006, 2007 and 2009, shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

4. In the light of the above, Writ Petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/February-2021