

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4580 OF 2021

Manojkumar s/o Vinayak Joshi

...Petitioner

Versus

The State of Maharashtra and others

...Respondents

Mr D.R. Irale Patil, Advocate for Petitioner
Mr A.R. Kale, AGP for Respondent-State

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

DATE : 15th MARCH, 2021

PER COURT :

1. It is submitted that petitioner is awarded certificate of excellent work and advance increments in the year 2007 and 2009. He was given benefit of advance increments and same was also paid. However, now recovery is claimed and the petitioner's benefit is not extended. If the petitioner is already granted certificate of excellent work in the year 2007 and 2009, then the same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 25.01.2019.

3. The Government Resolution dated 24.08.2017 will have prospective effective and not retrospective and in that case benefit that was accorded to the petitioner of excellent work in the year 2007 and 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shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioner.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, writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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