

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

WRIT PETITION NO. 2114 OF 2021

Jitendra Gajanan Patil and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. S. B. Munde, Advocate for Respondent No. 2.

**WITH
WRIT PETITION NO. 2115 OF 2021**

Vasant Nibadas Deore and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. Rahul Pawar, Advocate for Respondent No. 3.

**WITH
WRIT PETITION NO. 2116 OF 2021**

Appasaheb Dattatraya Bhutekar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. P. P. Dama, Advocate for Respondent No. 3.

**WITH
WRIT PETITION NO. 2117 OF 2021**

Vijaykumar Sudhakar Rao Mule and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. S. B. Ghute, Advocate for Respondent No. 3.

**WITH
WRIT PETITION NO. 2118 OF 2021**

Jayaji Sheshrao Bhosle and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. S. B. Ghute, Advocate for Respondent No. 3.

**WITH
WRIT PETITION NO. 2119 OF 2021**

Mahesh Raghunath Kapure and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. Sandeep B. Sontakke, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.
Mr. S. B. Ghute, Advocate for Respondent No. 3.

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

DATED : 03rd February, 2021.

PER COURT:-

. 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 If the petitioners are already granted certificate of excellent work in the year 2006 to 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.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 to 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, the writ petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.