

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

903 WRIT PETITION NO.6789 OF 2020

SANJAY RAMCHANDRA PATIL AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. G. Karlekar
Advocate for Respondent No. 4: Mr. A. D. Aghav

...

906 WRIT PETITION NO.97 OF 2021

RAGHUVIR DATTATRAY AWACHAT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. G. Karlekar
Advocate for Respondents No. 4 & 5:
Mr. A. D. Aghav

...

935 WRIT PETITION NO.2541 OF 2021

ASHOK SHIVRAM CHAUDHARI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. P. K. Lakhotiya
Advocate for Respondents No. 4 to 6:
Mr. A. D. Aghav

...

943 WRIT PETITION NO.2549 OF 2021

VISHWANATH BASAPPA MASHALKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. K. Tambe

...

946 WRIT PETITION NO.2552 OF 2021

DILIP GOVIND KADAM AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners: Mr. S K Mathpati

AGP for Respondents/State: Mr. S. R. Yadav Lonikar

Advocate for Respondent No.5: Mr. P. R. Tandale

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952 WRIT PETITION NO.2558 OF 2021

ANGAD DNYANOBA SONAWANE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners: Mr. S K Mathpati

AGP for Respondents/State: Mr. S. G. Karlekar

Advocate for Respondent No. 4:

Mr. P. D. Suryawanshi

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953 WRIT PETITION NO.2559 OF 2021

KAMLAKAR CHANGDEO KHARAT AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K

AGP for Respondents/State: Mr. K. N. Lokhande

Advocate for Respondents No. 5&6: Mr. S. B. Ghute

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954 WRIT PETITION NO.2560 OF 2021

MAHOMMAD MAHEDI ABDUL SALIM HIPPARGE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K

AGP for Respondents/State: Mr. S. R. Yadav Lonikar

...

960 WRIT PETITION NO.2566 OF 2021

GORAKH ANNASAHEB RAKH

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. K. Tambe
Advocate for Respondents No. 5&6:
Mr. P. D. Suryawanshi

...

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

DATE: 09th 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/order 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, writ petitions are disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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