

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

972 WRIT PETITION NO. 6797 OF 2020

Jankiram Govardhan Karund and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
Mr. S. R. Yadav Lonikar, AGP for Respondents-State.
Mr. P. D. Suryawanshi, Advocate for Respondent No. 5.

977 WRIT PETITION NO. 1235 OF 2021

Vijay Prabhakar Kambale and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
Mr. K. N. Lokhande, AGP for Respondents-State.

980 WRIT PETITION NO. 1238 OF 2021

Vitthal Kishtanna Sirmanwar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
Mr. P. S. Patil, Addl. G. P. for Respondents-State.
Mr. S. B. Pulkundwar, Advocate for Respondent No. 5.

981 WRIT PETITION NO. 1239 OF 2021

Shankar Jeverilal Agrawal and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. S. R. Yadav Lonikar, AGP for Respondents-State.
 Mr. S. B. Ghute, Advocate for Respondent Nos. 5 and 6.

982 WRIT PETITION NO. 1244 OF 2021

Raju Hona Rathod .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
 Mrs. V. S. Chaudhary, AGP for Respondents-State.
 Mr. P. R. Tandale, Advocate for Respondent Nos. 5 and 6.

984 WRIT PETITION NO. 1246 OF 2021

Dattatraya Nagnath Newale and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. P. K. Lakhotiya, AGP for Respondents-State.
 Mr. P. R. Tandale, AGP for Respondent Nos. 5 and 6.

986 WRIT PETITION NO. 1250 OF 2021

Ashok Chintaman Mahajan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
 Mr. K. N. Lokhande, AGP for Respondents-State.

988 WRIT PETITION NO. 1252 OF 2021

Pandurang Maruti Murumkar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. P. S. Patil, Addl. G. P. for Respondents-State.
 Mr. P. D. Suryawanshi, Advocate for Respondent Nos. 5 and 6.

989 WRIT PETITION NO. 1253 OF 2021

Shaik Sadik Norudidin and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. S. R. Yadav Lonikar, AGP for Respondents-State.
 Mr. P. R. Tandale, Advocate for Respondent No. 5.

994 WRIT PETITION NO. 1258 OF 2021

Raghoba Dhondiram Bhingole and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. R. V. Dhasalkar, AGP for Respondents-State.

996 WRIT PETITION NO. 1260 OF 2021

Deorao Krishnarao Kardekar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
 Mr. K. N. Lokhande, AGP for Respondents-State.
 Mr. S. B. Ghute, Advocate for Respondent No. 5.

997 WRIT PETITION NO. 1261 OF 2021

Balaji Sambhaji Jadhav and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
Mr. P. S. Patil, Addl. G. P for Respondents-State.

998 WRIT PETITION NO. 1262 OF 2021

Gangadhar Ganesh Yalpalwad and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
Mr. S. R. Yadav Lonikar, AGP for Respondents-State.
Mr. S. B. Ghute, Advocate for Respondent Nos. 5 and 6.

1002 WRIT PETITION NO. 1270 OF 2021

Mukhatarkhan Chandkhan Pathan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
Mr. K. S. Hoke Patil, AGP for Respondents-State.
Mr. S. B. Pulkundwar, AGP for Respondent No. 5.

1004 WRIT PETITION NO. 1272 OF 2021

Arun Vishwnathrao Pedgaonkar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
Mr. S. G. Sangle, AGP for Respondents-State.
Mr. P. P. Dama, Advocate for Respondent Nos. 5 and 6.

1014 WRIT PETITION NO. 1286 OF 2021

Shri Fahimuddin Zahiruddin Ustad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioner.
 Mr. K. N. Lokhande, AGP for Respondents-State.
 Mr. P. R. Tandale, Advocate for Respondent Nos. 5 and 6.

1015 WRIT PETITION NO. 1287 OF 2021

Sidram Raosaheb Jagtap and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mrs. V. S. Chaudhary, AGP for Respondents-State.
 Mr. P. R. Tandale, Advocate for Respondent No. 4.

1017 WRIT PETITION NO. 1289 OF 2021

Eknath Mohan Jadhav and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. P. K. Lakhotiya, AGP for Respondents-State.
 Mr. S. B. Ghute, Advocate for Respondent Nos. 5 and 6.

1019 WRIT PETITION NO. 1291 OF 2021

Devidas Onkar Jadhav and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. K. Mathpati, Advocate for the petitioners.
 Mr. R. V. Dhasalkar, AGP for Respondents-State.

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

DATED : 22nd JANUARY, 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, 2007, 2008 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, 2008 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

PS.B.