

UMESH
SHRINIWAS
MALANI

Digitally signed by
UMESH
SHRINIWAS
MALANI
Date: 2021.12.08
18:06:32 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5335 OF 2021

Moreshwar S/o Vishwanath Pujari
and Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Sandeep B. Sontakke for the Petitioner.
Mr. R.S. Datar for Respondent No. 4.
Ms. A.A. Purav, AGP, for the Respondent – State.

**CORAM : PRASANNA B. VARALE &
S.M. MODAK, JJ.**

DATE : DECEMBER 06, 2021.

PER COURT :

1. Heard learned Counsel for the Petitioner.
2. Issue involved in the present Petition is an identical issue involved in Writ Petition No. 51 of 2021 (Vinayak D. Ghaisas and Ors. Vs. The State of Maharashtra and Ors.).
3. A detailed order is passed by this Court on 16th September, 2021 in Writ Petition No. 51 of 2021 to which one of us is party (Justice Prasanna B. Varale, J). We see no reason to take different view in the

present Petition. Accordingly, we pass the following order:

- A) Writ Petition is allowed.
- B) Government Resolution dated 24th August, 2017 will have prospective effect and not retrospective and in case, if any benefits are accorded to the Petitioners of said Government Resolution, the Respondents are directed not to withdraw such benefits and if any recovery pursuant to the said Government Resolution is made, shall be refunded to the Petitioners.
- C) With these directions, Writ Petitions are disposed of.

(S.M. MODAK, J.)

(PRASANNA B. VARALE, J.)