

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

WRIT PETITION NO. 853 OF 2023

Narayan Rambhau Gadekar

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Mr. Estling S. Murge, Advocate for the Petitioner.

Mr. S. G. Karlekar, A.G.P for the Respondent No. 1.

Mr. V. M. Vibhute, Advocate for the Respondents Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA, A.C.J. &
GAURI GODSE J.**

DATED : 24TH JANUARY, 2023.

FINAL ORDER :

1. It is submitted that, petitioner in this Writ petition is awarded certificate of excellent work and advance increments in the year 2009. He was given benefit of advance increments and same was also paid. However, now decision has been taken not to extend the benefit to the petitioner. If the petitioner is already granted certificate of excellent work in the year 2009, then same cannot be withdrawn retrospectively on the basis of subsequent Government Resolution.

2. The same view was taken by this Court 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 petitioner of excellent work in the year 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withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioner.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 Petitions are disposed of. No costs.

[GAURI GODSE, J.]

[ACTING CHIEF JUSTICE]

bsb/Jan. 23