

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3369 OF 2020

Sambhaji S-o Babu Patil And Ors.

...Petitioners

Versus

The State of Maharashtra And Ors.

...Respondents

Mr. Shivkumar K. Mathpati (Through V.C.) a/w. Mr. Sarvesh
Deshpande, for Petitioners.

Mr. S.H. Kankal, AGP for Respondent Nos. 1 to 4.

**CORAM: NITIN JAMDAR &
M.M. SATHAYE, JJ.**

DATE : 18 APRIL 2024

Digitally signed
by
HUSENBASHA
RAHAMAN
NADAF
Date: 2024.04.29
11:43:10 +0530

P.C.:

. Heard the learned counsel for the parties.

2. The Petitioners are seeking an additional increment based on the policy of the State Government under Government Resolution dated 20 June 1989, to grant one advance/additional increment based on their confidential reports for meritorious/excellent service. According to the learned AGP as per the Government Resolution dated 24 August 2017, this additional increment has been withdrawn. The Petitioners have relied on various decisions of which copies have been annexed, pointing out that retrospective effect to the resolution cannot be given and those who are granted certificate of excellent work prior to the issuance of Government Resolution

dated 24 August 2017 is not permissible and the said Government Resolution will have to be held operative with prospective effect. There are 15 Petitioners before us and each of their cases will have to be examined by the Respondent- Zilla Parishad.

3. In these circumstances, we dispose of the writ petition directing Respondent No. 5- Chief Executive Officer, Zilla Parishad Ratnagiri to examine each case of the Petitioners in light of the decisions annexed to this Petition and upon verifying all the necessary details in light of the law so laid down.

4. The Chief Executive Officer will decide the entitlement of the Petitioners accordingly. If the Chief Executive Officer comes to the conclusion that some of the Petitioners or all the Petitioners are not entitled, then a reasoned order be passed. Let the entire exercise to be carried out within a period of four weeks.

5. Writ Petition is disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)