

**IN THE HIGH COURT OF BOMBAY AT GOA****WRIT PETITION NO. 152/2015**

1. Bervin Alex Teles,  
H.No.282, Baichowado,  
Taulim, Navelim, Salcete, Goa.

2. Ramu M. Tigadi,  
House No.111/3,  
Aquem, Baixo, Margao, Goa.

3. Krishna L. Gaonkar,  
House No.297/C, Ziltawadi,  
Gaondongrim, Canacona, Goa.

4. Vidyanand Keshav Naik,  
House No.45, Damal,  
Ugem, Sanguem, Goa.

5. Pravin Shiv Shavan,  
House No.339, Firgurem,  
Post Navuelim, Mudgao Goa.

6. Suresh Dasharath Singe,  
House No.34, Cotta-New Vaddem,  
Davorlim, Salcete, Goa,

7. Deepak Desai,  
House No.776, Patnem,  
Canacona, Goa.

8. Parshuram Mangalkar,  
House No. 70, Zorivado,  
Dhaverlim, Navelim, Salcete, Goa.

9. Soni Jano Lambor,  
House No.278, Karemol,  
Kalay, Sanguem, Goa.

10. Kunda Deu Sawant,

House No.94, Kopardem,  
V.P. Mauxi, Valpoi Sattari, Goa.

11. Neregal Mahamad Salim Ibrahim,  
H.No.80, Moti Dongor,  
Margao, Goa.

12. Bhojo Bapo Zove,  
House No.19, Nagvem,  
Valpoi, Sattari, Goa.

13. Vithoba Kasture,  
House No.6, Potre Bhati,  
Sanguem, Goa.

14. Lako Zoro,  
House No.25, Gavliwada,  
Vadle-Curdi, Sanguem, Goa.

15. Gauresh Korgaonkar,  
Salvador do Mundu,  
Quitla, Bardez, Goa.

16. Chetan Harmalkar,  
Housing Board,  
Rumdamol, Davorlim, EWS,

17. Dhaklo Babu Shelke,  
House No.202, Pokarmol,  
Kalay, Sanguem, Goa.

18. Avinash Bhosle,  
H.No.360, Siolim, V  
Vagalim, Bardez, Goa.

19. Guno Gauncar,  
House No.71, Gaonkarwada,  
Karrem Quempem, Salcete, Goa.

20. Kalsu Velip,  
House No.609,

Velipwada, Cuncolim, Goa.

21. Dhakalu Velip,  
House No.38/1, Karve,  
Gaondongri, Canacona, Goa.

22. Nityanand Gaonkar,  
House No.62,  
Bhati, Sangurm, Goa.

23. Punu Velip,  
House No.136,  
Padi Barcem, Cuncolim, Goa.

24. Rajesh Parwar,  
House No.465, Grand Pulwaddo,  
Benaullim, Salcete, Goa.

25. Damodar Zamuni,  
House No.E-325,  
Behind Maruti Temple,  
Rumdamol, Davorlim, Goa.

26. Ujawala Narvekar,  
House No.65, Col. No.1,  
Sanguem, Goa.  
All are major.

..... Petitioners.

V/s.

1. State of Goa,  
through the Secretary,  
Public Works Department,  
with his Office at Secretariat,  
Porvorim, Bardez, Goa.

2. Principal Chief Engineer,  
Public Works Department,  
Altinho, Panaji, Goa.

..... Respondents.

Mr. S.D. Lotlikar, Senior Advocate with Ms. M. Furtado, Advocate for the petitioners.

Mr. Vivek Rodrigues, Additional Govt. Advocate for the respondents.

**CORAM :- F.M. REIS &  
K.L. WADANE, JJ.**

**Date : - 12<sup>th</sup> August, 2015.**

**ORAL JUDGMENT : (PER F.M. REIS, J.)**

Heard Mr. S.D. Lotlikar, learned Senior Counsel appearing for the petitioners, and Mr. Vivek Rodrigues, learned Additional Govt. Advocate appearing for the respondents.

2. The above petition, *inter alia*, prays for a writ directing the respondents to forthwith issue orders of appointment in favour of the petitioners to the post of Labourer on Workcharged Establishment in the Public Works Department, Government of Goa in the Pay Band of Rs.4440-7000 + Grade Pay of Rs.1300, plus admissible allowances, as per rules.

3. During the course of the hearing of the above writ petition, Mr. S.D. Lotlikar, learned Senior Counsel appearing for the petitioners

has brought to our notice a Judgment passed by the Division Bench of this Court in Writ Petition No. 7/2014 dated 7<sup>th</sup> May, 2014, wherein one of us (F.M. Reis, J.) was a party. The learned Senior Counsel further points out that the petitioners herein are similarly placed and, as such, the petitioners are entitled for the reliefs as directed in the said Judgment passed by this Court. The learned Senior Counsel has also brought to our notice another Judgment also dated 7<sup>th</sup> May, 2014, in similar petitions wherein similar reliefs came to be granted. Mr. V. Rodrigues, learned Additional Govt. Advocate has pointed out that the fact that the petitioners are similarly placed as those who had filed Writ Petition No.7/2014, is not disputed. The learned Additional Govt. Advocate, however, points out that this exercise will have to be effected by complying with the Rules and other relevant statutory regulations.

4. Upon hearing the learned Counsel, the fact that the petitioners were part of the selection process as the ones who were parties to the said writ petitions, cannot be disputed.

5. We had also called upon the learned Additional Govt. Advocate to produce relevant notings to examine the progress on the

grievances raised by the petitioners herein. On perusal of the notings in the file produced by the learned Additional Govt. Advocate, we find that the notings suggest that there are at least 26 posts in the Workcharged Establishment of the Public Works Department and we also find some recommendations with that regard.

6. In such circumstances, for the reasons recorded in the Judgment dated 7<sup>th</sup> May, 2014 in Writ Petition No. 7/2014, the above writ petition is allowed. The respondents are, accordingly, directed to issue orders of appointment in favour of the petitioners in the above writ petition to the post of Labourer, Group D, on the Workcharged Establishment in the Public Works Department, Government of Goa in the pay scale as per the Rules, within three months. Rule is made absolute in the above terms.

**K.L. WADANE, J.**

**F.M. REIS, J.**

ssm.