

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 211 OF 2015.

Mrs. Mary Fernandes, Major of age,
Indian National, Resident of
Zuarinagar, Vasco-da-Gama, Goa. Petitioner.

Versus

- 1 State of Goa, Through its Chief
Secretary having office at
Secretariat, Porvorim, Goa.
- 2 The Director of Education,
Government of Goa, Having
Office at Directorate of
Education, Alto-Porvorim, Panaji
Goa.
- 3 Director of Accounts,
Government of Goa, Behind Old
Secretariat, Panaji Goa.
- 4 The Headmaster, Government
High School, Zuarinagar, Vasco
Goa. Respondents.

Mr. K. Noorani, Advocate for the petitioner.
Mr. A. N. S. Nadkarni, Advocate General with Ms. S. Linhares,
Additional Government Advocate for the respondents no.1 to 3.

**Coram:-F. M. REIS,
K. L. Wadane,JJ.**

Date:-30th March, 2015.

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. K. Noorani, learned Counsel appearing for the
petitioner and Mr. A. N. S. Nadkarni, learned Advocate General

appearing for the respondents no. 1 to 3.

2. Rule. Heard forthwith with the consent of learned Counsel appearing for the parties. The learned Counsel for the respondents waives service.

3. We have heard Mr. Noorani, learned Counsel appearing for the petitioner as well as Mr. Nadkarni, learned Advocate General appearing for the respondents. Though Shri Noorani vehemently brought to our notice that order dated 5.3.2015 passed by the respondents with regard to the implementation of the direction issued by this Court by judgment dated 24.4.2013 passed in Writ Petition No. 47/2007 have not been strictly complied, nevertheless, Mr. Nadkarni, learned Advocate General has clarified that pending arrears as reflected in clause(2)(c) of the said communication dated 5.3.2015 would have to be paid to the petitioner as from 30.4.2008. The learned Advocate General also pointed out that such clarificatory order would be issued within two weeks from today.

4. Taking note of the said clarification, the apprehension of the petitioner that the pension arrears benefit would be passed only from 1.4.2013 would not survive. Accepting the said statement of the learned Advocate General and clarification as referred to herein above, we find it

appropriate to dispose of the writ petition with further directions to ensure that payment of the arrears of the pension arrears benefits be made to the petitioner in any event within two months from today.

5. Rule stands disposed of accordingly.

vn* K. L. WADANE, J.

F. M. REIS, J.