

IN THE HIGH COURT OF BOMBAY AT GOA.

Writ Petition No. 159/2005

Dr. M.N. Pal, Ex-Dean Goa
Medical College, resident of
Gomeco Co-operative Housing
Society, Bambolim-Goa. ..

Petitioner

Versus

1] State of Goa,
through Chief Secretary, having
Office at Secretariat,
Porvorim, Bardez-Goa.

2] The Under Secretary
(Personnel), Government
of Goa, Secretariat,
Porvorim, Panaji-Goa.

3] The Secretary (Health)
Government of Goa,
Secretariat, Porvorim,
Bardez-Goa.

... **Respondents**

....

Mr. Ryan Menezes, Advocate for the petitioner.

Ms. Susan Linhares, Additional Government Advocate for the
respondents.

...

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

Date : 03rd August, 2015.

ORAL JUDGMENT: (Per F.M. REIS, J.)

1. Heard Mr. Ryan Menezes, learned Advocate appearing for the petitioner and Ms. Susan Linhares, Additional Government Advocate appearing for the respondents. The petitioner is present along with his

Advocate Shri Ryan Menezes.

2. The above matter was adjourned from time to time, as it was pointed out that the parties are exploring the possibility to settle the subject matter of the above writ petition.

3. In the course of hearing of the above writ petition, the learned Advocate appearing for the petitioner and the learned Advocate appearing for the respondents have filed the Minutes of the Order, inter alia, contending that the dispute between the parties has been amicably settled by the terms stated here-in-below:-

"1. Order of revision dated 31.7.2000 to Professor is withdrawn. Consequently, petitioner retired as Dean of Goa Medical College.

2. Orders for break in service dated 26.11.2001, 12.6.2002 and 1.10.2011 as also the order dated 26.12.2000 refusing leave to the Petitioner are withdrawn.

3. Petitioner's leave application dated 24.7.2000 is granted and the period of leave for one month i.e. till 23.8.2000 to be adjusted against the leave available to petitioner's credit.

4. Petitioner to be paid his salary for the period from 24.7.2000 to 2.5.2001 which is treated as in service.

5. Petitioner waives the the difference between salary as

Dean and salary as Professor for the period from 24.7.2000 to 2.5.2001.

6. Petitioner is entitled to all retirement benefits as Dean of Goa Medical College.

7. Arrears to be paid in 3 months".

4. The said Minutes of the Order have been filed along with an undertaking dated 3rd August, 2015 duly signed by the petitioner herein. The petitioner, who is present, in the Court also admitted the execution of the said Undertaking as well as accepts the terms in the Minutes of the Order. The Minutes of the Order is taken on record and marked as "X" for identification. The said Undertaking is accepted and is taken on record and marked as "Y" for identification.

5. The learned Advocate appearing for the respondents filed letter issued by the department, inter alia, accepting the terms of settlement in the above petition, which is taken on record and marked as "Z" for identification.

6. In view of the above, the petition stands disposed of, in terms of said Minutes of the Order. The undertaking given by the petitioner is also accepted.

7. Rule made absolute in the above terms with no order as to costs.
8. In view of disposal of the writ petition, MCA No. 464/2010 does not survive and it is disposed of accordingly.

K.L.WADANE, J

F.M. REIS, J

mukund