

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 753 of 2014**

Shri Nitin Nerurkar of
major age, Indian National,
resident of House No. 135-F,
Davorlim, Zoriwado, Navelim,
Salcete-Goa.

.. Petitioner

Versus

1. The Directorate of Education,
Government of Goa, having
Office at Directorate of
Education, Alto Porvorim,
Bardez-Goa.
 2. Bhatikrar Model High School,
represented by its Chairman,
Shri R. S. Kamat, Managing
Committee, Housing Board,
Gogal, Margao-Goa.
 3. Shri Rajesh R. Bhatikar,
Manager, Bhatikar Model
High School, Housing Board,
Gogal, Margao-Goa.
- .. Respondents.

Mr. D. J. Pangam, Advocate for the petitioner.

Mr. D. Lawande, Government Advocate for respondent no. 1.

Mr. V. R. Tamba with Mr. D. Zaveri, Advocates for respondent
nos. 2 and 3.

CORAM :- F. M. REIS, &

K. L. WADANE, JJ

DATE : 11th March, 2015

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

Heard Shri Pangam, learned Counsel appearing for the petitioner, Shri Lawande, learned Counsel appearing for the respondent no. 1 and Shri V. R. Tamba, learned Counsel appearing for the respondents no. 2 and 3.

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

3. Upon hearing the learned Counsel appearing for the parties, we find that the short controversy raised by the petitioner is as to whether the petitioner is entitled for subsistence allowance during the pendency of suspension as the enquiry proceedings have not yet been concluded.

4. Shri Tamba, learned Counsel appearing for the respondents no. 2 and 3 does not dispute the entitlement of the petitioner for subsistence allowance, but however points out that the petitioner was in fact paid the said subsistence allowance upto August 2013.

5. Shri Lawande, the learned Government Advocate appearing for the respondent no. 1 has pointed out that in case the respondent no. 3 the School Management submits the requisite bills, the respondent no. 1 is bound to honour the said bills. Shri Tamba, the learned Counsel appearing for the respondent nos. 2 and 3, upon instructions, states that the respondents will send the requisite bills to the respondent no. 1 for payment of the subsistence allowance from August, 2013, within three weeks from today. Needless to say that the respondent no. 1 shall proceed to effect the disbursement in accordance with law.

6. Accepting the said statements of the learned Counsel appearing for the respondents, we find that nothing further survives in the above writ petition. Rule stands disposed of, upon accepting the said statements of the learned Counsel for the respondents.

7. The Writ Petition stands disposed of accordingly, with no order as to costs.

SMA K. L. WADANE, J.

F. M. REIS, J.