

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 726 OF 2014

Maria Teresa F. Viegas,
Major of Age,
Residing at Flat no. 1,
Bldg C-1,
T. R. Residency, S. Paulo,
Taleigao, Ilhas Goa.
(Registered Address)

... Petitioner

V e r s u s

1. The Chief Secretary,
State of Goa, having office at
Secretariat, Porvorim, Goa.
2. The Directorate of Animal Husbandry &
Veterinary Service, Pashusamvardhan
Bhavan, Patto, Panaji, Goa.
(Registered Addresses)

... Respondents

Mr. D. Pangam, Advocate for the Petitioner.

Mr. V. Rodrigues, Addl. Government Advocate for the Respondents.

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

Date : **17th March, 2015**

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

Heard Shri Pangam, learned Counsel appearing for the Petitioner and
Shri Rodrigues, learned Addl. Government Advocate for the Respondents.

2. Rule. Heard forthwith with the consent of the learned Counsel.
Learned Addl. Government Advocate waives service on behalf of the Respondents.

3. The above Petition, inter alia, seeks for a declaration that the action of

the Respondent nos. 1 and 2 to retire the Petitioner at the age of 58 years is ultra virus and illegal and consequentially to issue an appropriate direction to the Respondents to pay to the Petitioner all the consequential benefits like back wages, pension benefits, etc.

4. We have heard Shri Pangam, learned Counsel appearing for the Petitioner, extensively in connection with the contentions raised in the above Writ Petition and Shri V. Rodrigues, learned Addl. Government Advocate appearing on behalf of the Respondents.

5. During the course of the hearing, it was pointed out by the learned Addl. Government Advocate that by letter dated 26.09.2014, the Joint Secretary, Director Ex-Officio of the Directorate of Animal Husbandry and Veterinary Services/ Respondent no. 2 herein has sent a letter to the Under Secretary of Department of Public Grievances, Secretariat, Porvorim, Panaji, inter alia, accepting that the case of the Petitioner is covered by the Judgment of this Court passed in Writ Petition nos. 348 of 1998 and 609 of 2008. We have perused the said Judgment of this Court wherein one of us (F. M. Reis, J. was a party) was a party, dated 06.05.2011 and we find that the facts of the case of the Petitioner are covered by the said Judgment.

6. It is pointed out by the learned Addl. Government Advocate that the Respondent no. 1 shall accordingly take a final decision with regard to the application filed by the Petitioner dated 11.07.2014 within a period of four weeks and has further pointed out that pursuant to the said letter dated 26.09.2014, the matter has also been referred to the Law Department for necessary action.

7. In such circumstances, we find it appropriate to direct the State Government as well as all the concerned parties to finally decide about the grievances of the Petitioner in the letter dated 11.07.2014 as expeditiously as possible and in any event within four weeks from today in the light of the observations in the Judgment dated 29.09.1998 passed in Writ Petition no. 348 of 1998 as well as in Writ Petition no. 609 of 2008 dated 06.05.2011. The Respondents shall submit the compliance report after a period of four weeks from today.

8. Liberty to the parties to apply. Place the matter for compliance report after five weeks.

9. Rule is made absolute in the above terms.

K. L. WADANE, J.

F. M. REIS, J.

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