

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 762 OF 2015

SHRI ASHOK K. NAIK.

... Petitioner

Versus

STATE OF GOA, THROUGH CHIEF
SECRETARY AND 4 ORS.,

... Respondents

Mr. Balkrishna Prakash Sardessai and Ms. Aleesha Reis Dos Falcao,
Advocates for the Petitioner.

Mr. S. D. Lotlikar, Advocate General with Mr. D. Lawande, Addl.
Advocate General appearing for the Respondents.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 26th July, 2016

P.C.

Heard Mr. Sardessai, learned Counsel appearing for the Petitioner
and Mr. S. D. Lotlikar, learned Advocate General appearing for the
Respondents.

2. The challenge in the above Petition is to the termination of the
services which took place in the year 1991 which, according to the
Petitioner, was illegal and not sustainable in law. The Petition has
been filed in the year 2015. The records also reveal that the
Petitioner learnt about the alleged ground of his termination way
back in the year 2005. In such circumstances, as the Petition is
barred by gross laches, the question of entertaining the Petition under
Article 226 of the Constitution of India, would not at all arise. There

is no satisfactory explanation for such delay and the post must be occupied by third parties.

3. Mr. Sardessai, learned Counsel appearing for the Petitioner, however points out that the Petitioner should atleast be granted pension as, according to him, he has rendered services for more than 16 years.

4. Mr. S. D. Lotlikar, learned Advocate General appearing for the Respondents, states that the payment of pension would be favourably considered by the State Government in accordance with the relevant provisions of law.

5. In view of the said statement of the learned Advocate General, nothing survives in the above Petition, which stands accordingly disposed of.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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