

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 756 OF 2015

SHRI ANIL GOVIND NAIK. ... Petitioner
Versus
STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 3 ORS., ... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioner.
Mr. A. N. S. Nadkarni, Advocate General with Mr. D. Lawande,
Government Advocate for the respondent nos. 1 to 3.
Mr. A. D. Bhobe, Advocate for the respondent no.4.

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

Date:- 16th February, 2016

P.C.

Heard Mr. Nigel Da Costa Frias, learned counsel appearing for the petitioner, Mr. A. N. S. Nadkarni, learned Advocate General for the respondent nos. 1 to 3 and Mr. A. D. Bhobe, learned counsel appearing for the respondent no.4.

2. The petition filed by the petitioner is on the ground that the respondent no.3 has not granted approval to the extension from 14.11.2015. On the last date of hearing the respondent no.4 was asked whether the respondent no.4 without prejudice to the rights and contentions would pay full salary to the petitioner until the final disposal of the inquiry proceedings which have been initiated by the respondent no.4 which are pending consideration before the

respondent no.3. A pursis has been filed by the respondent no.4 inter-alia stating that such full salary would be paid from 01.02.2016 but after hearing both the learned counsel and by consent, such date is fixed as 01.01.2016. The pursis is marked "X" for identification.

3. Mr. Nigel Da Costa Frias, learned counsel appearing for the petitioner upon instructions submits that in case such full salary is paid the petitioner would not press for the above petition but however, keeping all contentions raised in the petition open. Hence, the respondent no.4 shall pay full salary to the petitioner as subsistence allowance from January, 2016 until the final disposal of the inquiry proceedings initiated by the respondent no.4. Needless to say that such amount paid is without prejudice to the rights and contentions of both the parties. All contentions of the parties including the claim of the petitioner for back amount towards salary etc. are left open. The petitioner shall cooperate in disposing of the proceedings pending before the respondent no.3 as expeditiously as possible.

4. The petition stands disposed of in the above terms.

K. L. WADANE, J.

F. M. REIS, J.

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