

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 30 OF 2017

Christo Fernandes.		Petitioner.
Versus		
Goa Institute of Management, repr. by its Secretary and others.		Respondents.

Mr. Avalon Carvalho, Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Ms. Purna Bhandari, Additional Govt. Advocate for the State.

Mr. Valmiki Menezes, Advocate for the Respondent No.1.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 17 April 2018.

P.C.:

The learned Advocate General tenders a Notification dated 13 April 2018, constituting a College Tribunal under Statute 95A of the Goa University Statutes, also to decide the grievances of the employees of aided and un-aided private recognized educational institutions in Goa, in accordance with the decision of the Apex Court in *T.M.A. Pai Foundation vs. State of Karnataka*¹. The Notification states that it will come into effect from the date of its

¹ 2002 (8) SCC 481

publication in the Official Gazette. The Notification is taken on record. We are informed that the Notification is sent for publication in the Gazette.

2. The Petitioner has challenged the order of termination dated 20 October 2016 and the inquiry report dated 28 April 2016 of the Respondent No.1. Respondent No.1 is an unaided private educational institute, recognized by the All India Council for Technical Education. The learned Counsel for the Petitioner states that in view of the notification, the Petitioner can approach the College Tribunal. The learned Counsel for Respondent No.1 also agrees that the Petitioner has a remedy before the Tribunal. In these circumstances, it is not necessary to keep the Petition pending, in view of the availability of an adequate alternate remedy to the Petitioner.

3. Keeping all contentions on merits open, the Petition is disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.