

IN THE HIGH COURT OF BOMBAY AT GOA***WRIT PETITION NO.563 OF 2019***

Kashinath R. Polle
and others.

..... Petitioners.

Versus

STATE OF GOA, through its
Chief Secretary, Secretariat,
Porvorim, Bardez, Goa and 2 ors.

..... Respondents.

Mr. V. Naik, Advocate for the Petitioners
Mr. D. Pangam, Advocate General with Mr. Shailesh Redkar,
Additional Government Advocate for respondent nos.1 to 3.

WITH

WRIT PETITION NO.460 OF 2019

Gangaram R. Shetye
and others.

..... Petitioners.

Versus

STATE OF GOA, through its
Chief Secretary, Secretariat,
Porvorim, Bardez, Goa and 3 ors.

..... Respondents.

Mr. V. Naik, Advocate for the Petitioners
Mr. D. Pangam, Advocate General with Mr. Manish Salkar,
Additional Government Advocate for respondent nos.1 to 4.

WITH
WRIT PETITION NO.543 OF 2019

Anil Y. Madkaikar
and others.

..... Petitioners.

Versus

STATE OF GOA, through its
Chief Secretary, Secretariat,
Porvorim, Bardez, Goa and 2 ors.

..... Respondents.

Mr. V. Naik, Advocate for the Petitioners
Mr. D. Pangam, Advocate General with Mr. Pravin Faldessai,
Additional Government Advocate for respondent nos.1 to 3.

WITH
WRIT PETITION NO.565 OF 2019

Joao Emiterio M. Henriques
and others.

..... Petitioners.

Versus

STATE OF GOA, through its
Chief Secretary, Secretariat,
Porvorim, Bardez, Goa and 2 ors.

..... Respondents.

Mr. V. Naik, Advocate for the Petitioners
Mr. D. Pangam, Advocate General with Mr. Sagar Dhargalkar,
Additional Government Advocate for respondent nos.1 to 3.

***Coram : PRADEEP NANDRAJOG, CJ., &
M. S. SONAK, J.***

Date : 11th October 2019.

P.C.:

Concededly the issue raised in the writ petitioners has been decided against the respondents and in favour of the petitioners by the Judgment dated 26.04.2017 passed by this Bench in Writ Petition no.668/2014 - Ashok K. Naik and others V/s. State of Goa and others. The impugned circular dated 02.12.2010 was quashed in the said Writ Petition but was restricted to the writ petitioners thereof.

2. Thus, we dispose of the petition quashing the impugned Circular dated 02.12.2010. As far as the writ petitioners of the instant petitions are concerned, the respondents are directed to fix the retirement benefit of such petitioners who have retired in the light of the law declared in the decision dated 26.04.2017.

3. There shall be no order as to costs.

M. S. SONAK, J.

CHIEF JUSTICE