

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO.1/2021

IN

WRIT PETITION NO. 638/2016

JENIPHA ELMA FRANCIS
PINTO.

.... Petitioners.

Versus

PARIMAL RAI AND ANR.

.... Respondents.

WITH

CONTEMPT PETITION NO.4/2021

IN

WRIT PETITION NO. 638/2016

SARVESH SURYAKANT
VELUSKAR AND 14 ORS.

..... Petitioners.

Versus

PARIMAL RAI AND ANR.

..... Respondents.

WITH

CONTEMPT PETITION NO. 2/2021

IN

WRIT PETITION NO. 664/2016

PRADNYA PRAMOD
GAONKAR.

..... Petitioners.

Versus

PARIMAL RAI AND ANR.

..... Respondents.

Mr. Vijay Palekar, Advocate for the Petitioners.

Mr. Deep Shirodkar, Addl. Govt. Advocate for the Respondents.

WITH

MISC. CIVIL APPLICATION NO. 466/2021

(Filing No.)

IN

WRIT PETITION NO. 638/2016

STATE OF GOA AND ANOTHER.		Applicants.
IN		
JENIPHA ELMA FRANCIS		
PINTO		Petitioners.
Versus		
STATE OF GOA AND ORS.		Respondents.

Mr. Deep Shirodkar, Addl. Govt. Advocate for the State-Applicant.

Mr. Vijay Palekar, Advocate for the original Petitioners.

***Coram : M.S. Sonak &
Smt. Bharati H. Dangre, JJ.***

Date : 10th February, 2021.

P.C. :-

Heard the learned Counsel for the parties.

2. The Petitioners have filed Contempt Petitions No.1/2021, 4/2021 and 2/2021 alleging non-compliance of the directions issued by us in our Judgment and Order 2nd December, 2020 in Writ Petition No.638/2016 and connected matters.
3. Misc. Civil Application No.466/2021 filed by the State for

extension of time for compliance of the directions, was not on board. Taken on board with the consent of the learned Counsel for the parties.

4. The State has pointed out that a Special Leave Petition was filed before the Hon'ble Supreme Court and the same was dismissed on 29th January, 2021.

5. The State has placed on record the following in relation to the compliance with our directions :

“8. The Applicants state that in relation to the balance 30 persons, the Respondents have prepared the Offers of Appointment and the same will be issued to the candidates within a couple of days.

9. The Applicants state that once the concerned parties communicate the acceptance, the usual requirements like medical examination, verification of character and antecedents, etc. will then be completed, after which the Appointment Orders will be issued. The Applicants state that as per direction (G), the appointments will be made effective from 01.02.2021.

10. The Applicants state that the process of acceptance followed by the other usual formalities and issuance of the

appointment Order will require some further time. The Applicants therefore a file the present application seeking extension of the outer time limit by a period of two months from today.”

6. From the aforesaid, we are satisfied that there is no willful or deliberate breach of the directions issued by us. All that the State has pointed out is that immediate steps have been taken post the dismissal of the Special Leave Petition.

7. In the aforesaid circumstances, we feel that no case for initiation of any contempt proceedings has been made out. Further, even the extension of two months as prayed for is required to be granted.

8. Though this extension is granted, it is made clear that the orders of appointment are to be made effective from 1st February, 2021. Even the State has accepted this position and stated that the orders of appointment will be made effective from 1st February, 2021.

9. The aforesaid statements are accepted as undertakings to this Court and the State is directed to act accordingly.

10. Accordingly, the time for compliance is extended by two months from today and further, the contempt petitions are also dismissed.

Smt. Bharati H. Dangre, J.

M.S. Sonak, J.

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