

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.234 OF 2020

1. PRABHAKAR TILVE
2. JESUS LUIS
3. SATVAPAL AMONKAR
4. DAMU KUDALKAR
C/O. ANAND KUNDAIKAR,
BG-10, GROUND FLOOR, CASA
IMMACULADA, JOSE FALCAO ROAD,
NEAR PANAJI CHURCH, PANAJI-GOA. ...PETITIONERS

Versus

1. STATE OF GOA,
THROUGH CHIEF SECRETARY,
PORVORIM, BARDEZ, GOA.

2. KADAMBA TRANSPORT
CORPORATION LIMITED
PORVORIM, BARDEZ-GOA. ...RESPONDENTS

Mr. Shivraj Gaonkar, *Advocate for the Petitioner.*

Mr. Manish Salkar, *Government Advocate for the Respondent No.1.*

Mr. Shivan Desai, *Advocate for Respondent No.2.*

**CORAM: M. S. SONAK &
M. S. JAWALKAR, JJ.**
DATED: 4th October 2021

ORAL JUDGMENT :

1. Mr. Shivraj Gaonkar, learned Counsel appears for the petitioners, Mr. M. Salkar, learned Government Advocate appears for respondent no.1 and Mr. Shivan Desai, learned Counsel appears for respondent no.2.

2. Rule. With the consent and at the request of the learned Counsel for the parties, Rule is made returnable forthwith.

3. Mr. M. Salkar, learned Government Advocate waives service on behalf of respondent no.1 and Mr. Shivan Desai, learned Counsel waives service on behalf of respondent no.2.

4. The learned Counsel for the parties agree that the issue raised in this petition is covered by the decision of this Court in *Mr. Martin Alphonso V/s. State of Goa & Ors.* (*Writ Petition No.759 of 2019* decided on 25.11.2019) and, therefore, this petition can be disposed of on the said basis.

5. In addition, Mr. Derrick Pereira Neto, the Managing Director of KTC has filed an affidavit in this Court. Paragraph 6 of this affidavit reads as follows:

“6. I say that however, in view of the decisions taken by this Hon'ble Court in Writ Petition No.114 of 2019 and Writ Petition No.759 of 2019, the respondent has taken a decision and shall accordingly initiate the process of recommending the claims of the petitioners herein for grant of benefits under the 7th Pay Commission. The said process shall be completed in a period of two months.”

6. Accordingly, for the reasons set out in our order dated 25.11.20219 in Writ Petition No.759 of 2019, this petition is allowed. Respondent no.2 is directed to process the case of the petitioner for receipt of benefits of the recommendations of the

Seventh Pay Commission within two months from today. In case any approval is necessary from the State Government, the same to be issued within one month from the date of receipt of proposal from respondent no.2.

7. The Rue is disposed of in the aforesaid terms. There shall be no order as to costs.

8. All concerned to act on the basis of an authenticated copy of this order.

M. S. JAWALKAR, J.

M. S. SONAK, J.