

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 165 OF 2021

PRADIP V. SAWAIKER

... Petitioner

Versus

STATE OF GOA, THR. THE CHIEF
SECRETARY AND ANR

... Respondents

Mr. M. B. da Costa, Senior Advocate with Ms. Karishma Betquecar,
Advocate for the Petitioner.

Mr. D. Pangam, Advocate General along with Ms. M. Correia,
Additional Government Advocate for Resp.-State.

***Coram : DIPANKAR DATTA, CJ., &
M. S. SONAK, J.***

Date : 24th March 2021.

P.C.:

We have heard Mr. Costa, learned senior counsel for the petitioner and Mr. D. Pangam, learned Advocate General for the State.

2. The petitioner is a retired District Judge who has since been appointed as the President of the Consumer Redressal Forum, South Goa by an order dated 30.06.2017 of the Director, Civil Supplies and Consumer Affairs Department, Government of Goa.

3. By presenting this writ petition, the petitioner seeks direction on the respondents to pay him salary as admissible to a District Judge in the super time scale of pay, as revised by the Central Government/in the scale of pay as determined by the Hon'ble Mr. Justice E. Padmanabhan (Retired) Commission.

4. It is found from the writ petition that the petitioner has submitted a detailed representation before the Director dated 30.07.2020. No decision has been given by the Director on such representation as yet.

5. We are of the considered opinion that it would be appropriate if the Director looks into the representation and gives his decision first. We, accordingly, dispose of this writ petition with direction to the Director to consider such representation in accordance with law upon granting the petitioner an opportunity of hearing. Should the prayer of the petitioner be not granted, a reasoned order shall be passed. On the contrary, if the claim of the petitioner is granted, appropriate benefits be released as early as possible thereafter.

6. Let such exercise of consideration and disposal of the representation be completed within one month from date of receipt of a copy of this order.

7. All contentions of the parties are expressly kept open.

M. S. SONAK, J.

ss

CHIEF JUSTICE