

Meena

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.73 OF 2022
IN
WRIT PETITION NO.13 OF 2019

TANYA MICHELLE FERNANDES ... APPLICANT
Versus
PARESH KODBAL AND 3 ORS ...RESPONDENTS

Mr. T. Vaz, Advocate *for the applicant.*

Mr. Shivraj Gaonkar, Advocate *for the respondent No.1.*

Mr. Pravin Faldessai, Additional Government Advocate *for the respondents No.2 and 3.*

Mr. J.A. Lobo, Advocate *for the respondent No.4.*

CORAM: M. S. SONAK &
R. N. LADDHA, JJ.
DATED: 26th April 2022

P.C.:

This is an application taken out by the original respondent No.4 seeking an early hearing of the petition.

2. In the main petition, the appointment of respondent No.4 has been challenged. We have not granted any interim relief but only made it clear that her appointment will be subject to the outcome of the petition.

3. Now, respondent No.4 has worked in the post of Lower Division Clerk for last almost 42 months but has not been paid any salary on account of the pendency of this petition. There is nothing in our order that entitles any of the respondents to withhold the salary of the respondent No.4. If respondent No.4 is working in the post, then there is no reason as to why she should be denied her salary.

4. Therefore, we post this petition for final hearing peremptorily on 27/06/2022 subject to overnight part-heard matters. However, in the meanwhile, the concerned respondents should process the salary bills concerning respondent No.4 and settle the same at the earliest. No doubt, such settlement can be without prejudice to the rights and contentions of all the parties.

5. This Misc. Civil Application is disposed of.

R. N. LADDHA, J.

M. S. SONAK, J.