

Niti

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.380 OF 2014

1. Kum.Domiana Nazareth of major age,
Indian National, presently working as
SS&LR, Directorate of Settlement & Land
Records, at Panaji-Goa.
2. Shri Pankaj Bandekar, of major age, Indian
National, presently working as IS&LR,
Directorate of Settlement & Land Records,
at Panaji-Goa.
3. Smt. Maya Kedar Amonkar, of major age,
Indian National, presently working as
AS&SO, Directorate of Settlement & Land
Records, at Panaji-Goa.
4. Smt. Suchitra B. Shanke alias Anisha A.
Matondkar, of major age, Indian National,
presently working as IS&LR, Directorate of
Settlement & Land Records, at Panaji-Goa.
5. Shri Anand V. Vaingankar, of major age,
Indian National, presently working as
IS&LR, Directorate of Settlement & Land
Records, at Panaji-Goa.
6. Shri Savio Cajetan Silveira, of major age,
Indian National, presently working as
IS&LR, Directorate of Settlement & Land
Records, at Panaji-Goa.
7. Shri Rajesh Pai Kuchelkar, of major age,
Indian National, presently working as
IS&LR, Directorate of Settlement & Land
Records, at Panaji-Goa.
8. Shri Sudesh Kanhoba Naik Bhaireli, of
major age, Indian National, presently
working as Supervisor, Directorate of
Settlement & Land Records, at Panaji-Goa.

9. Smt. Vinita Vinayak Kambli, of major age, Indian National, presently working as Supervisor, Directorate of Settlement & Land Records, at Panaji-Goa.
10. Shri Chetan Chandrakant Jadhav, major age, Indian National, presently working as Supervisor, Directorate of Settlement & Land Records, at Panaji-Goa.
11. Shri Sandeep Balkrishna Chodankar, of major age, Indian National, presently working as Supervisor, Directorate of Settlement & Land Records, at Panaji-Goa.
12. Shri Patrick Henderson Gonsalves, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
13. Netra M. Gawas, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
14. Shri Babaji Hire Parab, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
15. Manguesh K. Kholkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
16. Shri Suraj Surendra Vengurlekar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
17. Smt. Maithili Paresh Sirsat, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

18. Shri Nitin Ravindra Mantri, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
19. Smt. Bharati Shamsundar Hoble alias Smt. Bharati Ranjan Shirodkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
20. Rupali Sandeep Lotlikar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
21. Prakash Budhaji Naik, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
22. Paresh Ganesh Rivankar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
23. Jayesh Shrikant Naik, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
24. Shri Sagar Janu Navelkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
25. Reshma Ramchandra Dhargalkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
26. Maria Felicidade Botelho, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land

Records, at Panaji-Goa.

27. Arunkumar Shankar Dhale, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
28. Priti Anand Khandeparkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
29. Yogesh Bakulesh Mashelkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
30. Dattaprasad Mohan Parab, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
31. Smt. Sujita Bala Parab alias Smt. Digvita D. Kerkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
32. Sandeep Surya Gaonkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
33. Paresh Purushottam Naik, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
34. Narciva Gurudas Nagvenkar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
35. Raghunath Chandrakant Prabhu Dessai, of major age, Indian National, presently

working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

36. Pratima S. Kavlekar, of major age, Indian National, presently working as Head Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
37. Rupali Vasu Page, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
38. Shilpa Vijay Prabhu Gaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
39. Sameer Suresh Kamble, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
40. Ranjit Shivajirao Patil, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
41. Nayana Abhay Kerkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
42. Smt. Sonia Parin Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
43. Yeshwant Gurudas Bicholkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
44. Prasad Sawant Dessai, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

45. Mrunal Tanbarao Rane, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
46. Siddhesh Shambhu Naik Tuenkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
47. Asmita R. Shinde, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
48. Mahesh Pundalik Khedekar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
49. Sachin Yeshwant Chowdhary, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
50. Savio Candido Francisco Pereira, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
51. Sweta A. Pednekar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
52. Ramkrishna Vithu Gawas, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
53. Natesh K. Acharya, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

54. Vandana R. Potekar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
55. Rudy Albuquerque, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
56. Sandeep G. S. Borkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
57. Siddesh B. Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
58. Chandrashekhar G. Chari, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
59. Prabhakar Baburao Patil, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, Panaji, Bardez-Goa.
60. Shivnath Podgo Malik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
61. Filipe M. Pinto, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji -Goa.
62. Narendra N. P. Agrasani, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

63. Rajesh K. Bhomkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
64. Clancy Fernandes, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
65. Suchana S. Harmalkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
66. Damodar R. Kannaik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
67. Mohammed Ieshad, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
68. Betty Dourado, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
69. Mulla Imran Shamshudin, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
70. Satishkumar Gopi Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
71. Vinay Madhu Naik, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

72. Rajesh Dhondur Harmalkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
73. Sweta S. Rao, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
74. Vijay Ram Prabhu, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
75. Sameer D. Fadte, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
76. Sandeep F. Velip, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
77. Rahul R. Joshi, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
78. Vivek A. Bude, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
79. Shrikrishna G. Sawant, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
80. Sudesh S. Sawant, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

81. Rupesh Anant Shirgaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
82. Nilesh Gangaram Damekar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
83. Harish Pandurang Gawas, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
84. Anita Laxman Ghadi, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
85. Shilpa Ganpat Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
86. Shilpa Ganesh Dessai, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
87. Shrikant Pundalik Patil, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
88. Teja Raikar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
89. Gunakar Narayan Sawant, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

90. Raju A. Shetye alias Korgaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
91. Nitin Manohar Pikulkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
92. Naik Dessai Nitin Anand, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
93. Jayesh P. Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
94. Smt. Shruti Parab, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
95. Paresh Prakash Vengurlekar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
96. Nirmala J. Salgaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
97. Roque Miranda, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
98. Sidney Xavier, of major age, Indian National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

99. Samir A. Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
100. Shreesha Siddesh Pilgaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
101. Riyaz Ahmed I. Zamkhandi, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
102. Sandip Sadanand Madelkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
103. Manisha Dayanand Jannaik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
104. Suvarna K. Salgaonkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
105. Damu Sada Komarpant, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
106. Swapnil Dadu Sawant, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
107. Luis Miranda, of major age, Indian National, presently working as Field Surveyor,

Directorate of Settlement & Land Records,
at Panaji-Goa.

- 108 Devendra Surya Gaonkar, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 109 Vanchana S. Naik Dessai, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 110 Sushma Mohan Kolambkar, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 111 Anush Pandurang Chodankar, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 112 Anupa Ashok Raut Dessai, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 113 Sushant Shantaram Chodankar, of major
age, Indian National, presently working as
Field Surveyor, Directorate of Settlement &
Land Records, at Panaji-Goa.
- 114 Swetal Vivek Narvekar, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 115 Suraj Sudhakar Prabhu Dessai, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 116 Vinayak Katambale, of major age, Indian
National, presently working as Field

Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.

- 117 Pramod T. Naik, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 118 Prakash M. Shet, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 119 Angela P. Araujo, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 120 Purushottam H. Prabhu, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 121 Kiran K. Gawde, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 122 Nilesh L. Paste, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 123 Sanford Dais, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 124 Vishwas K. Waradkar, of major age, Indian National, presently working as Field Surveyor, Directorate of Settlement & Land Records, at Panaji-Goa.
- 125 Jiv N. Velip, of major age, Indian National, presently working as Field Surveyor,

Directorate of Settlement & Land Records,
at Panaji-Goa.

- 126 Newton Franky D'Silva, of major age,
Indian National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 127 Saeesh Rudraji Desai, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 128 Sameer X. Rajguru, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 129 Flossy F. Fernandes, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 130 Santosh V. Chodankar, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 131 Prashant P. Parvatkar, of major age, Indian
National, presently working as Field
Surveyor, Directorate of Settlement & Land
Records, at Panaji-Goa.
- 132 Feroz Saiyed, of major age, Indian National,
presently working as Field Surveyor,
Directorate of Settlement & Land Records,
at Panaji-Goa.
- 133 Sandeep Perni, of major age, Indian Nation-
al, presently working as Field Surveyor,
Directorate of Settlement & Land Records,
at Panaji-Goa.

....Petitioners

VERSUS

1. State of Goa,
through its Chief Secretary,
having office at Secretariat,
Porvorim, Bardez-Goa.
2. The Director of Settlement & Land
Records, Government of Goa,
Panaji-Goa.Respondents

Mr. J. Supekar, *Advocate for the Petitioners.*

Mr. Manish Salkar, Government Advocate for the Respondents.

**CORAM : M.S. SONAK &
R.N. LADDHA, JJ.**

DATED : 25th JANUARY 2022

ORAL JUDGMENT : (Per M.S. Sonak, J.)

1. Heard Mr. Supekar, learned Counsel for the petitioners, and Mr. M. Salkar learned Government Advocate for the respondents.
2. The petitioners complain of an anomaly in awarding them the proper pay scale and emoluments. Therefore, the petitioners made a representation dated 03.07.2006 (Annexure – D, pages 81 to 85 of the paper book) to the Secretary (Finance), Government of Goa. Copies of this representation were marked to several other Authorities. This was followed by yet another representation dated 05.11.2007 (pages 94 to 99 of the paper book).

3. Since there was no favorable response, the petitioners made yet another representation dated 08.05.2012 urging *inter alia* disposal of the earlier representations.
4. Finally, by the impugned memorandum dated 06.06.2012, the petitioners were informed that their representations cannot be considered since the Government has not constituted an “Anomaly Committee”.
5. The impugned memorandum dated 06.06.2012 reads as follows:

MEMORANDUM

The Field Surveyors/Head Surveyors and other Technical Staff of this Directorate has made representation regarding upgradation of their Pay Scale. This proposal was forwarded to Government on 08.05.2012.

The Revenue Department vide letter No.26/1/2012/RD/2296 dated 30.05.2012 has now informed that since the government has not formed anomaly Committee the proposal cannot be proceed further at this stage.

6. From the aforesaid, it is quite clear that the representations of the petitioners were not rejected on merits but were not at all considered on the ground that no Anomaly Committee had been constituted. Thus, there was no rejection of the petitioners' representations on merits, but this was a case of non-consideration for want of the constitution of an Anomaly Committee.

7. Mr. Salkar learned Government Advocate, on instructions, states that an Anomaly Committee has been constituted on 31.08.2021 and this Committee will not be averse to considering the petitioners' representations and disposing of the same on their own merits and in accord with the law.

8. According to us, this petition can be disposed of by now directing the Anomaly Committee to consider all the petitioners' representations and to dispose of the same on their own merits and, in accord with the law, within three months from today. The anomaly Committee is, therefore, directed to consider the petitioners' aforesaid representations and decide whether the petitioners can be granted the salaries/pay scales claimed by them from the date of their respective appointments, which have incidentally been set out in Annexure - A to this petition.

9. This petition is disposed of with the aforesaid directions. It is clarified that this Court has not examined the matter on merits and, therefore, the Anomaly Committee will have to examine the matter on merits and decide in accord with the law.

10. Since the representations are to be found in the paper book of this Writ Petition, it is only appropriate that the petitioners furnish an entire set of the paper book in Writ Petition No.380 of 2014 to the Secretary (Finance) within a week from today. The Secretary (Finance) to forward this set to the members of the Anomaly Committee, which can then consider the representations and even consider the petition itself as a representation and dispose of the same within three months from today.

11. This petition is disposed of in the aforesaid terms. There shall be no orders for costs.

R.N. LADDHA, J.

M. S. SONAK, J.