

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.545 OF 2010

MONICA LOBO E DOURADO

... Petitioner

VS

SPORTS AUTHORITY OF GOA

THROUGH ITS SECRETARY AND 3 ORS ... Respondents

Mr. S.D. Lotlikar, Senior Advocate with Mr. T. Sequeira,
Advocate for the Petitioner.

Ms. A. Godinho, Advocate for Respondent Nos.1 and 2.

Mr. Deep Shirodkar, Additional Government Advocate for
Respondent No.4.

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

DATED: 5th April 2022

ORAL ORDER :(Per M.S. SONAK,J.)

Heard Mr. S.D. Lotlikar, Senior Advocate with Mr. D. Sequeira, learned Advocate for the petitioner, Ms. A. Godinho holding for Mr. Amey Kakodkar, learned Advocate for respondents No.1 and 2 and Mr. Deep Shirodkar, learned Additional Government Advocate for respondent No.4.

2. Ms. A. Godinho places on record an order dated 01/04/2022 issued by The Sports Authority of Goa (SAG) promoting the petitioner to the post of Assistant Director (Complex), Head Office, Athletic Stadium, Cujira, Bambolim-Goa. The same is taken on record.

3. With the issuance of the aforesaid order, at least a portion of the petitioner's grievances stand redressed. The petitioner has however accepted the promotion order without prejudice to her rights and contentions.

4. Mr. Lotlikar, learned Senior Advocate for the petitioner submits that the petitioner should have been promoted to the post of Assistant Director several years ago. He submits that such promotion was deliberately denied to the petitioner including by way of not framing or finalizing Recruitment Rules for an unreasonable length of time. He submits that as a result of this delay the petitioner has been deprived of several financial benefits. He pointed out that by now on account of certain schemes and increments, the petitioner is already drawing the salary and financial benefits payable in the promotional post. He submits that in any case, the petitioner is already at the level to which she has now been belatedly promoted.

5. According to us, the petitioner who is now promoted as Assistant Director can always be granted liberty to file an appropriate representation before the SAG raising all the aforesaid grievances and directions can be issued to the SAG to consider and dispose of such representation in a time-bound manner.

6. Now that we find that the SAG has a new Executive Director i.e. Dr. Tariq Thomas, we assure he will take into consideration the grievances of the petitioner and attempt to resolve the same in accord with law and having regard to the various orders made from time to time in this petition.

7. Mr. Lotlikar states that the petitioner will file a detailed representation within two weeks from today and also enclose along with the representation the necessary material and orders made by this Court in support of the representation. We direct the SAG to dispose of this representation on its own merits and in accord with law as expeditiously as possible and in any case within two months from the date of its receipt. The decision on such representation should be communicated to the petitioner within this period.

8. In case the petitioner is aggrieved by the decision, the petitioner will have the liberty to take out appropriate proceedings to question the same.

9. Rule in this petition is disposed of in the aforesaid terms. There shall be no order for costs.

R.N. LADDHA, J.

M.S. SONAK, J.

MEENA
VISHAL
BHOSLE

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