

Jose

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.397 OF 2021

1. Ms. Maria Lourdes Do R. Noronha

Major of age, 62 yrs.

Resident of La Maruel, C-14,

Dona Paula Goa.

2. Mrs. Leocadia R.C. De Melo e Fernandes

Major in age, 63 years,

Resident of H.No. E-302, St Tome Street,

Panaji Goa.

3. Xavierina Filomena Cardoso,

Major in age, 62 years,

Resident of H.No. 263, Near the Church Mercers,

Tiswadi Goa.

4. Fatima B. Missier

Major in age, 64 years,

Resident of 2B/F-1, Abnar Residency,

Mesta Bhat, Mercers Goa.

5. Rashika Yeshwant Shirodkar

Major in age, 62 years,

Resident of Palmar Building, F-4,

Ground Floor,

Carmibhat, Mercers Goa.

6. Martha Tolentino,

Major in age, 62 years,

Resident of S-6, Sundaram Apartment,

2nd Floor, Kadamba Dept Road,

Alto-Porvorim

Bardez Goa.

7. Lima L. P. Menezes,
Major in age, 63 years,
Resident Models Marine Heights I,
Flat No 1/T-3, Aivao Waddo,
Caranzalem Goa.

8. Joao. M.G. Lourenco,
Major in Age, 61 years,
Resident of H. No. , Curca,
Tiswadi Goa.

9. Suman R. Prabhudesai,
Major in age, 62 years,
Resident of H. No – 338/B, Agnelo Colony,
Karant Cazanzalem
Goa.

10. Rajani S Khandeparkar
Major in age, 64 years,
Resident of H. No. 9/15/2
Hill Lane No. 4, Khadapaband
Ponda Goa.

11. Zahida Begam,
Major in age, 63 years,
Resident of Fathima Manzil,
Near King Soda Factory,
St.inez, Panaji Goa.

12. Maria Vitoria De Araujo,
Major in age, 62 years,
Resident of AH.No. 106, Hailem Bhatt,
Cujira, St. Cruz, Goa.

13. Maria Olivia Neves Do Nascimento Vas
Major in age, 61 years,
Resident of Flat No.CC.1,
Silver Towers, Block -c,
Buehind Cine Vishant,
Margoa Goa.

14. Alex Mascarenhas
Major in age, 63 years,
Resident of H.No. 300/2, Sinuetim Navelim,
Salcete Goa.

15. Linda Frias e Gonsalves,
Major in age, 62 years,
Resident of H.No. 71, Ambora, Po-lutalim,
Salcete Goa.

... Petitioners.

Versus

1. State of Goa
Through the Chief Secretary
Secretariat,
Porvorim, Bardez, Goa.

2. The Office of the Chief Electrical Engineer,
Electricity Department, Vidhyut Bhavan,
Panaji Goa.

3. The Director of Accounts,
Directorate of Accounts,
Panaji, Goa.

... Respondents.

Mr. Vivek Rodrigues, Advocate *for the Petitioners.*

Mr. D. Pangam, Advocate General with **Mr. Shubham Priolkar, Additional Government Advocate** *for the Respondents.*

**CORAM: SMT. SADHANA S. JADHAV &
MANISH PITALE, JJ.**

DATED: 11th January 2022

ORAL JUDGMENT (PER MANISH PITALE, J):

1. Heard learned Counsel for the rival parties.
2. Rule. Rule made returnable forthwith with the consent of the learned Counsel for the rival parties.
3. This petition has been filed by the Petitioners for the following reliefs:-
 - a) Issue a Writ of Certiorari or a writ in the nature of Certiorari, or any other appropriate writ, order or direction quashing and setting aside the impugned Circular dated 02/12/2010 issued by the Respondent No.3 and the recoveries effected from the petitioners in pursuance thereof vis a vis these petitioners.
 - b) To direct fixation of the Salary and Pensionary benefits of the petitioners in the Pay scale of Rs. 9300-34000+Rs.4600 (G.P.) along with future benefits based on the revised pay scales.
4. It is an undisputed position that a Division Bench of this Court (Coram:- F.M. Reis & Nutan D. Sardesai, JJ.), by a Judgment and

Order dated 26.04.2017 passed in Writ Petition No. 668/2014, have quashed the impugned Circular dated 02.12.2010 and consequential reliefs were granted to the Petitioners therein.

5. The Petitioners in this Writ Petition are identically situated as the Petitioners in Writ Petition No.668/2014. Therefore, there is no impediment in extending the same benefits to the Petitioners herein.

6. Consequentially, the Writ Petition is allowed in terms of prayer clauses (a) and (b) above. Rule is made absolute in the above terms.

7. The Respondents shall extend the benefit to the Petitioners as expeditiously as possible and preferably within six months from today.

MANISH PITALE, J.

SMT. SADHANA S. JADHAV, J.