

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 19 OF 2023

IN

CONTEMPT PETITION NO. 16 of 2022

MAHESH V. CORJUENKAR ... PETITIONER

Vs.

STATE OF GOA THR. CHIEF

SECRETARY & 4 OTHERS ... RESPONDENTS

Mr S.D. Lotlikar, Senior Advocate, with Ms Sailee R. Kenny
and Mr Terence Sequeira, Advocates for the Petitioner.

Mr Deep D. Shirodkar, Additional Government Advocate for
Respondent Nos. 1 to 4.

Mr D. Lawande with Mr Pradosh Dangui, Advocates for
Respondent No. 5.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED: 5th SEPTEMBER 2023

P.C.:

1. Heard Mr Lotlikar, the learned Senior Advocate who appears along with Mr Terence Sequeira, the learned Additional Government Advocate, Mr Shirodkar for Respondent Nos. 1 to 4 and Mr Lawande, who appears along with Mr Pradosh Dangui for Respondent No. 5.

2. Mr Shirodkar, the learned Additional Government Advocate for the State, has placed before us the letter dated 04.09.2023 wherein it is stated that the Government has now decided to review the DPC meeting held on 07.09.2006 at 12:00

noon by pointing out the anomaly observed after the review DPC held on 29.11.2022. The Government has also decided to conduct the said review DPC by reporting the additional vacancies, i.e. two vacancies of the year 1996 and one vacancy of the year 2000.

3. Mr. Lawande, the learned Counsel for Respondent No. 5, on instructions, states that the GPSC has received a requisition for holding review DPC to review the proceedings of DPC held on 07.09.2006 at 12:00 noon.

4. The learned Senior Counsel appearing for the Petitioner states that the Respondent Authorities should also review the proceedings of DPC held on 07.09.2006 at 1:00 p.m., taking into consideration the additional vacancies that have now been identified.

5. We feel that it would be appropriate to grant time-bound directions to the State and the GPSC to hold a fresh review DPC to review the proceedings of DPC (review) held on 07.09.2006 at 12:00 noon and, thereafter, to hold review DPC to review the proceedings of DPC (regular) held on 07.09.2006 at 1:00 p.m.

6. Accordingly, Respondent No. 5 is directed to hold a fresh review DPC to review the proceedings of DPC that was held on 07.09.2006 at 12:00 noon and send the minutes to the said DPC in order to enable the Government to send the proposal for 1:00 o'clock DCP to Respondent No. 1 within a period of five weeks from today, for which the proposal has already been sent.

7. Upon the receipt of the recommendations/minutes of the 12 o'clock DCP of the GPSC and after taking into account the additional vacancies that are created/identified by holding the above-mentioned review DPC of the proceedings of DPC held at 12 noon, Respondent No. 1 shall send a proposal along with the necessary information to Respondent No. 5 to review the proceedings of DPC meeting held on 07.09.2006 at 1:00 p.m. within three weeks from the date of receipt of the recommendations of review DPC from the GPSC.

8. The learned Counsel for the GPSC submits that the following information will be required to review the proceedings of DPC held at 1:00 p.m.

- (a) Requisition/proposal to conduct the review DPC of recommendations of the DPC meeting held on 07.09.2006.
 - (b) Number of year-wise vacancies along with reservation position.
 - (c) Eligibility list.
 - (d) New Officers coming under the zone of consideration based on eligibility.
 - (e) Note of DPC.
 - (f) Relevant Recruitment Rules/Goa Civil Services Rules.
 - (g) Integrity certificate.
 - (h) Vigilance clearance certificate.
 - (i) ACRs of the eligible candidates.
- } of only those Officers who come under zone of consideration

(k) Extract of the notings of the State Government approval for holding a review of (regular) DPC held on 07.09.2006 at 1:00 p.m.

9. Upon the receipt of the said information, Respondent No. 5 shall hold a review DPC to review the proceedings of DPC held on 07.09.2006 at 01:00 p.m. and forward the recommendations to Respondent No. 1 within six weeks.

10. Respondent No. 1 shall decide on the recommendations of both the said review DPCs within 10 days from the receipt of the same.

11. The State, as well as the GPSC, to file compliance reports of the above-mentioned directions within four months from today.

12. This Contempt Petition is disposed of. However, the Registry to place the matter for directions once compliance report is received from the State and the GPSC.

13. All concerned to act based on the authenticated copy of this Order.

14. No costs.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.