

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.402 OF 2022

Ms Sunita Chimulkar Kochrekar
49 years in age D/o Budhu Chimulkar,
R/o H.No.800
St Agostinho, St. Cruz
Ilhas Goa 403005

... Petitioner

Versus

1 State of Goa
Through Chief Secretary

2 Sports Authority of Goa
Through Director (Administration)
1st Floor Athletic Stadium
Cujira Bambolim Goa 403202

..Respondents

Mr Vibhav Amonkar, Advocate *for the Petitioner.*

Ms Sulekha Kamat, Additional Government Advocate *for Respondent No.1.*

Mr Amey Kakodkar, Advocate *for Respondent No.2.*

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

DATED: 8th FEBRUARY, 2023

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

1. Heard Mr Vibhav Amonkar, learned counsel for the petitioner,
Ms Sulekha Kamat, learned Additional Government Advocate for

respondent no. 1 and Mr Amey Kakodkar, learned counsel for respondent no.2.

2. Rule. The Rule is made returnable forthwith at the request of and with the consent of learned counsel for the parties.

3. The petitioner has resigned as Peon from Sports Authority of Goa (SAG)-respondent no.2. By this petition, she was seeking release of monetary dues accumulated against her name and payable by respondent no.2 to her.

4. Mr Kakodkar, learned counsel for respondent no.2 has pointed out that, time and again, the petitioner was called upon to attend the office and execute the necessary documents, forms and other paperwork necessary for release of these amounts in her favour. However, despite such communication, the petitioner failed to respond and, therefore, the amounts could not be released to her.

5. During the pendency of this petition, Ms Nadkarni, junior of Mr Amonkar, learned counsel for the petitioner, along with the Member Secretary of Goa State Legal Services Authority, visited the petitioner at her residence in a bid to inform her and persuade her to execute the necessary paperwork with SAG so that the amounts due to her could be released. However, Mr Amonkar points out that the

petitioner appears to have some issues and was not willing to cooperate.

6. Mr Kakodkar offered to deposit the amounts payable to the petitioner in this Court within 6 weeks from today so that, through the Court, such amounts could be released to the petitioner. Accordingly, SAG to deposit the amounts due to the petitioner, in this Court, within 6 weeks from today after giving necessary intimation to the advocate for the petitioner. SAG should also give a statement containing the details of such deposit.

7. Once these amounts are deposited, the petitioner is granted liberty to withdraw the same. Registry to verify identity and take details and after that, transfer the amounts directly into the petitioner's bank account.

8. Considering the above circumstances, we do not think that any case is made for award of interest. However, once the amounts are deposited in this Court, the Registry to invest the same in a nationalised bank. The petitioner is permitted to withdraw not only the deposited amount, but also the interest that shall have accrued thereon at the time she seeks the withdrawal.

9. Mr Amonkar states that he will inform the petitioner of this development and also furnish her the authenticated copy of this order.

10. Rule in this petition is disposed of in above terms. There shall be no order for costs.

11. In case the amounts are not deposited by SAG within 6 weeks, Registry to put up the matter for directions.

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

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

MARIA SUZANA REBELLO Digitally signed by MARIA SUZANA REBELLO
Date: 2023.02.07 18:52:45Z