

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.751/2023

CARMO CASIMIRO FERNANDES
AND TWO ORS.

..... Petitioners.

Versus

STATE OF GOA, THR.
CHIEF SECRETARY AND AND ORS., Respondents.

Mr S.R. Malik, Advocate for the Petitioners.

Mr D.J. Pangam, Advocate General with Ms Maria Correia, Addl.
Govt. Advocate for the Respondents.

**CORAM: M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATED : 12TH DECEMBER 2023

P.C. :

1. Heard Mr Malik for the Petitioners and the learned Advocate General, who appears along with Ms Maria Correia, Addl. Govt. Advocate for the Respondents.

2. The Petitioners have quite belatedly instituted this Petition to challenge the Respondents' decision to retire them at the age of 58 when, according to the Petitioners, they should have been allowed to continue until they attain the age of 60 years.

3. The Petitioners have applied for the following reliefs:

“a) Issue a writ of Certiorari and Mandamus or in nature of Mandamus quashing the government decision to retire the petitioners at the age of 58 and grant the arrears of pension and

ancillary benefits like gratuity and other applicable benefits in the revised scale as if they retired at age of 60 years.”

4. The learned Advocate General has produced before us an order dated 25/8/2023, issued by the Director (Admn.), Goa Medical College & Hospital, Bambolim, Goa. This order states that the three Petitioners were amongst others, should receive the revised pension on the premise that they should have retired at the age of 60 years.

5. The learned Advocate General points out that this was the relief granted to similarly placed Petitioners in several Petitions instituted by such similarly placed persons, in the past.

6. Accordingly, the grievance the Petitioners stands substantially redressed inasmuch as they are now being offered the revised pension based on the premise that they should have been retired at the age of 60 years and not 58 years.

7. This statement is accepted and the Respondents are directed to award the revised pension benefits to the Petitioners within three months from today, if not already paid. Even the arrears will have to be paid within this three months' period.

8. With the above directions, Writ Petition No.751/2023 is disposed of.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.

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