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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.670/2023

MARIA GRACIA J. DIAS & 9 ORS. ... PETITIONERS

Versus

THE STATE OF GOA THR CHIEF
SECRETARY AND 2 ORS. ... RESPONDENTS

Mr Vivek Rodrigues, Advocate for the Petitioners.

Mr P. Faldessai, Additional Government Advocate for the State.

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

DATED: 25th OCTOBER 2023

P.C.:

1. Heard Mr V. Rodrigues for the petitioner and Mr P. Faldessai, learned Additional Government Advocate for the State. Learned counsel for the parties state that the issue raised in this petition is fully covered by the statements made and recorded in Writ Petition No.397/2021 and by the order made by this Court on 11.01.2022 disposing of Writ Petition No.397/2021.

2. Accordingly, this petition is allowed in terms of prayer clauses (a) and (b), with consent. Prayer clauses (a) and (b) of this petition read as follows:-

“a) Issue an appropriate writ, order or direction quashing and setting aside the impugned Circular dated 02.12.2010 bearing No.1/1/02-PER (Part-IV) issued by the respondents and the recoveries effected from the petitioners in pursuance thereof viz a viz these petitioners;

b) To direct fixation of the Salary and Pensionary benefit 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.”

3. In Writ Petition No.1792/2022 (F) which was disposed on 14.07.2023, this Court had, in similar circumstances issued orders granting reliefs to the petitioners in the said petition and in the connected petitions. In the said order, a statement of the learned AG was recorded to the effect that circulars/orders would be issued for the appointment of the nodal officers who would examine whether similar cases are covered by previously decided cases and if so, benefits would be extended to all such employees.

4. Today, we are informed that the nodal officer has already been appointed. Accordingly, we agree with Mr Faldessai that the petitioner should not have rushed to this Court without approaching the nodal officer. However, now that it is admitted that the petitioner's case is covered by this Court's decision in Writ Petition No.668/2014, we grant relief in terms of prayer clauses (a) and (b) quoted above.

5. Accordingly, this petition is disposed of by consent in the above terms.

6. All concerned to act on an authenticated copy of this order.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

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