

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.228 OF 2024

SURESH PARAB

... PETITIONER

Versus

THE STATE OF GOA THR. CHIEF
SECRETARY AND ANR

... RESPONDENTS

Mr Nishikar Raut Dessai, Advocate for the Petitioner.

Mr Devidas J. Pangam, Advocate General with Mr Siddharth Samant, Additional Government Advocate for the Respondent Nos. 1 and 2.

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

DATED :- 3rd April, 2024

P.C.

Heard Mr Nishikar Raut Desai, learned Counsel for the Petitioner and the learned Advocate General with Mr Samant, learned Additional Government Advocate for the Respondents.

2. In this petition, the petitioner has challenged the letter dated 19.01.2023 issued by the Executive Engineer to the Director of Accounts for stopping the provisional pension that was being paid to the petitioner. This letter is only consequential to the penalty order dated 11.01.2023 by which the disciplinary authority had imposed a penalty of withdrawal of pension and gratuity on the petitioner. The petitioner's appeal against the said order was dismissed by the

Appellate Authority on 24.05.2019.

3. The petitioner has not challenged the penalty order dated 11.01.2023 and the appeal dismissal order dated 24.05.2019.

4. On realising this, learned Counsel for the petitioner, based on instructions from the petitioner who is present in the Court, seeks leave to withdraw this petition with liberty to file substantive petition to challenge, inter alia, the penalty order dated 11.01.2023, the appeal dismissal order dated 24.05.2019 and the communication dated 19.01.2023 by making the necessary averments, raising permissible grounds and enclosing all orders and documents.

5. Leave is granted to withdraw the petition with liberty to file a fresh petition in the above terms. All contentions of all parties are however left open.

6. Accordingly, this petition is disposed of as withdrawn with liberty as prayed for.

VALMIKI MENEZES, J.

M. S. SONAK, J.