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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.459/2023

TOSHITA S. SHENVI PILGAONKAR ... PETITIONER

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 3 ORS. ...RESPONDENTS

Mr A. D. Bhobe, Advocate *for the Petitioner.*

Mr. P. Arolkar, Additional Government Advocate *for the State.*

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
M. S. SONAK, J.**

DATED: 9th January 2024

P.C.:

1. Heard Mr A. D. Bhobe, learned counsel for the petitioner and Mr P. Arolkar, learned Additional Government Advocate for the State – respondents no.1, 2 and 3.

2. The present petition seeks to quash the impugned letter dated 23.04.2021 whereby the pay of the petitioner is fixed in the Pay Matrix Level 9.

3. Our attention has been drawn to the affidavit-in-reply filed on behalf of respondent no.2 wherein it has been stated that as a matter of fact as per the recommendations of the Seventh Pay

Commission, the petitioner and all other similarly circumstanced employees were entitled to the pay fixed in the Pay Matrix Level 9 and that in respect of those whose pay has been fixed in the Pay Matrix Level 10, steps are being taken to make recoveries.

4. Paragraph 12 of the affidavit-in-reply filed on behalf of respondent no.2 is extracted herein below:

“I say that the Directorate of Education has initiated the process of identifying the teachers who have been erroneously granted the pay matrix of Level-10 directly from Level-8 in the senior scale after the implementation of the 7th Pay Commission. I say that necessary steps will be taken thereafter to rectify the mistake and also to recover the excess payment if paid to these teachers who have been erroneously been granted wrong pay Matrix level.”

5. In view of the aforesaid, the learned Additional Government Advocate states that in fact now no cause of action survives to the petitioner to proceed any further with the present petition. Learned counsel for the petitioner does not dispute the said position.

6. In view of the aforesaid, the Writ Petition is disposed of.

M. S. SONAK, J.

CHIEF JUSTICE

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