



Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.175 OF 2025

Sushma Dattaram Pinge
Age 60 years,
Resident of D/F-2,
Adwalpalkar Home,
Shankarwadi, Taleigao,
Goa 403002.

...Petitioner

Versus

1. The State of Goa,
Through Chief Secretary,
Having office at Secretariat,
Porvorim, Goa.

2. The Directorate of Health Services,
Government of Goa, Campal,
Panaji, Goa.

3. Institute of Nursing Education
Through its Principal,
Having its office at Bambolim, Goa.

4. Goa University,
Through its Registrar,
Taleigao Plateau Goa.

Respondents

Mr S.D. Lotlikar, Senior Advocate with Mr Terence Sequeira,
Advocate for the Petitioner.

Mr Neehal Vernekar, Additional Government Advocate for
Respondent Nos.1,2 and 3.

Mrs A. Agni, Senior Advocate with Ms A. Hariharan and Ms A.
Rawal, Advocate for Respondent No.4.

**CORAM : BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ**

DATE : 11th JUNE 2025

ORAL JUDGMENT : (*Per Bharati Dangre, J.*)

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

2. Pursuant to the notice issued to the respondents, the learned Additional Government Advocate representing respondent nos. 1 and 2 has placed before us the decision taken by the Director of Health Services, regarding superannuation age of teaching staff of the Institute of Nursing Education dated 07.05.2025. This has reference to the communication dated 25.04.2025 issued by the Under Secretary (Health-II) from the Public Health Department, by which the Director of Health Services is informed that as per the provisions of Section 15A of the Goa University (Amendment) Act, 2009, the age of superannuation for the teaching staff of Goa University and its affiliated colleges including Principals, whether aided by the Government or not shall be 62 years.

The said communication dated 25.04.2025 categorically states that as the Institute of Nursing Education is affiliated to Goa University, it shall strictly adhere to the guidelines dated 30.08.2012 issued by Goa University, which had determined the age of retirement as 62 years.

This decision is found to be reiterated in the communication addressed by the Director of Health Services to the Director, Administration Section, Director of Health Services, Panaji.

3. The aforesaid communication placed before us by the Government Advocate is taken on record and marked as 'X' for identification.

4. In the wake of the aforesaid decision, the petitioner, who was made to retire from the post of Sister Tutor on attaining age of 60 years w.e.f. 28.02.2025 deserves to continue in service since it is now decided by the Government that the age of superannuation for the teaching staff of Goa University would be 62 years, and this includes teaching staff from the Institute of Nursing Education.

5. Though the respondent no.3 - Institute of Nursing Education is not before us, we must clarify that as indicated in the communication dated 07.05.2025, the Institute of Nursing Education being affiliated to Goa University is bound by the decision and for the teaching staff working in the said Institution, the age of superannuation being 62 years, the petitioner deserves to continue in services till she attains the age of superannuation.

Needless to state that the petitioner shall be permitted to resume her duties. Since the petitioner was made to retire in the month of February 2025, a decision shall be taken continuing her services in all

aspects including continuity, payment of salary as well as counting of her continuous service for the purposes of pensionary benefits.

6. In the wake of the aforesaid, the Writ Petition is made absolute in terms of prayer clause (a). The petitioner shall continue her services till she attains the age of 62 years.

No order for costs.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.