



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.440 of 2024**

Anil K. Naik Desai And 16 Ors.

... Petitioners

*Versus*State of Goa, thr. The
Chief Secretary And 2 Ors.

... Respondents

Mr Vivek Rodrigues, Advocate *with Mr Laban Carvalho,*
Advocate for the Petitioners.**Mr Pravin N. Faldessai, Additional Government Advocate**
*for Respondent Nos.1 to 3.***CORAM****: BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.****DATED****: 23rd JUNE, 2025.****ORAL ORDER:**

1. In light of the various orders issued by this Court from time to time and in particular, the order dated 11.02.2025, a Joint Meeting was held between the Cooperative Department and the Director of Accounts and the outcome of the said meeting with the further proposal being moved to the Finance Department for examination of the matter extending the benefit

of scale of Rs.7450-11500/- with effect from 01.01.2006 as prayed by the Petitioners, in pursuance of Office Memorandum dated 13.11.2009 adopted by the Government of Goa on 26.11.2009, resulted into an order being issued under the signature of Registrar of Cooperative Societies & Ex-Officio Joint Secretary to the Government of Goa, Panaji, on 13.06.2025.

Learned Counsel for the Petitioner has placed before us the said order, which, keeping in view the directions issued by the Court on 11.02.2025, had conducted a meeting and thereafter a proposal was moved to the Finance (R&C) Department to seek clarity about the manner in which the pay is to be fixed, in the case of a person who was drawing salary in the post prior to 01.01.2006. As a result of the aforesaid deliberations, the order direct as under:-

"Now, therefore, the approval of the Finance (R & C) Department is hereby accorded by making applicable minimum pay of 6th CPC attached to the Grade Pay of Rs.4600 to the Petitioners i.e Rs.12540/- attached to the Grade Pay of Rs.4600 under Pay Band Rs.9300-34800 along with other pensionary benefits."

2. In the wake of the order being issued, the learned Counsel for the Petitioners make a categorical statement that

the grievance of the Petitioners stand satiated. He would however categorically invite our attention to the order which has a specific reference to Petitioner No.12, whose request was to grant MACP on completing 30 years of qualifying service under S-15, which corresponds to Grade Pay of Rs.5400/- in PB-2 itself, which becomes effective on his superannuation in September 2009.

3. Mr Faldessai, learned Additional Government Advocate for the Respondents, on reading of the said order would submit that the directions in the ultimate paragraph of the order governs all the Petitioners. As far as Petitioner No.12 is concerned, since he was in a higher grade, i.e. S-15, as compared to the other Petitioners who were placed under S-13, since the benefit of the minimum pay of 6th CPC attached to the Grade of the Petitioners was enhanced to Rs.12540/-, we expect the Department to extend the benefit to the Petitioner No.12 who already find himself under category S-15.

4. Learned Counsel for the Petitioners make a specific request that the benefit of the order be conferred upon the Petitioners within a stipulated time, and, we, therefore, direct the Government of Goa, Department of Co-operation, to implement the order dated 13.06.2025 within four months

from today within which they shall fix the pay as well as release the arrears which are due and payable.

The Writ Petition stands disposed of.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.