



IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.250 OF 2026

WITH

WRIT PETITION NO.125 OF 2025

MISC.CIVIL APPLICATION NO.250 OF 2026

IN

WRIT PETITION NO.125 OF 2025

THE DEPARTMENT OF SOCIAL WELFARE

THR THE DIRECTOR

... APPLICANT

Versus

TOLINO SALVADOR DSOUZA

... RESPONDENT

Ms. Sulekha Kamat, Additional Government Advocate for the Applicant.

Mr. Vibhav Amonkar, Advocate for the Respondent.

WITH

CONTEMPT PETITION NO.18 OF 2026

IN

WRIT PETITION NO. 125 OF 2025

TOLINO SALVADOR DSOUZA

... PETITIONER

Versus

**THE STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 2 ORS**

... RESPONDENTS

Mr. Vibhav Amonkar, Advocate for the Petitioner

Ms. Sulekha Kamat, Additional Government Advocate for the State.

**CORAM:- VALMIKI MENEZES & AMIT
S. JAMSANDEKAR, JJ.**

DATED :- 6th May, 2026

P.C.:

1. Registry to waive office objections and register the matter (MCA No. 250/2026).
2. This is a contempt petition against the Respondents for non-compliance of this Court's order dated 19.03.2025, under which time was further extended to comply with the same, vide order dated 08.07.2025. According to this Court's order, the Director of Social Welfare was required to decide the representation of the Petitioner, who suffers from disability which is covered under Disability Act, for promotion to the post of Upper Division Clerk (UDC). The department at the relevant time had a post reserved for disabled persons, and the Petitioner had claimed the right to be promoted to that post since he is already working with that department.
3. The Department has today pressed for extension of time vide Miscellaneous Civil Application No. 250 of 2026, citing various reasons therein for why representation is not been considered till date. According to the department, the post has lapsed on 01.01.2024, i.e. even prior to passing of this Court's order, though this fact was never brought to the notice of this Court, according to

the department, a file was moved on 17.03.2025, that is more than a year after the post has lapsed for revival of the post and after final approval, the file is still pending with the Finance Department. As on date, there are no orders which have been passed by the Finance Department or by the Social Welfare Department to revive the post. Under these circumstances, representation itself could not be considered.

4. Whilst we are not against the reasons given for extension of time, more so because the post has lapsed prior to passing of the order dated 19.03.2025 and this fact was not brought to the notice of this Court, we deem it appropriate in the interest of the Petitioner that time shall be extended by two months for the representation to be decided; considering that the process of revival of the post is still ongoing, we deem it appropriate, even though this is a matter of contempt jurisdiction to direct the Finance Secretary, Government of Goa to process the file in question and to grant final approval at the earliest and preferably within three weeks from today. The file then shall be processed by the Director of Social Welfare, and the post shall be revived, and thereafter the representation be considered. We expect that this entire process will be completed in the timeline that we now granted.

5. The Miscellaneous Civil Application No. 250 of 2026 stands disposed of.

6. List Contempt Petition No. 18 of 2026 on 06.07.2026 for compliance.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.