



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 538 OF 2024

Nisha Sanju Dessai

... Petitioner

V e r s u s

1. State of Goa, Thr. Its Chief Secretary & 2
Ors.

... Respondents.

Mr. Shivraj Gaonkar, Advocate with Mr. Prabhav P. Sirvoicar,
Advocate for the Petitioner.

Ms. Akshata Bhat, Addl. Govt. Advocate for Respondent Nos. 1
and 2.

Mr. Richard Almeida, Advocate with Ms. Seema Rivankar,
Advocate for Respondent no.3.

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

DATE: 26th September, 2024

P.C.

1. Heard Mr. Gaonkar, learned Counsel representing the petitioner, Ms. Bhat, Additional Government Advocate representing the respondent nos. 1 and 2 and Mr. Almeida, learned Counsel representing the respondent no.3.

2. This petition has been filed under Article 226 of the Constitution of India seeking a direction for issuing appropriate orders to the respondents for release of amount relating to earned leave encashment and provident fund dues of the petitioner, who voluntarily retired from the post of Multi Tasking Staff from the respondent no.3.

3. Learned Counsel representing the respondent no.3 has stated that so far as the claim of the petitioner for MACPS-III is concerned, the same is being processed by the school authorities and final decision in the matter shall be taken within 30 days and thereafter the necessary papers shall be forwarded to the Government Authorities.

4. The Counsel for the petitioner has also stated that so far as the amount relating to earned leave encashment is concerned, the same has been paid. Thus what remains to be considered are the amount relating to provident fund and that of the MACP-III Scheme.

5. We thus dispose of this writ petition with a direction to the respondent no.3 to process the papers relating to provident fund and MACP-III scheme of the petitioner within 30 days from today and forward the same to the competent authority-State Government, who shall take final decision in the matter within six weeks from the date when the necessary papers are received from the institution. The decision to be taken under this order by the competent authority shall also be communicated to the petitioner.

6. The writ petition stands disposed of in the aforesaid terms.

M. S. KARNIK, J.

THE CHIEF JUSTICE, J.