

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 82 OF 2020

Dr. Prashant Natekar

..... Petitioner

V e r s u s

State of Goa & Ors.

..... Respondents

Mr. S. D. Lotlikar, Senior Advocate with Mr. Neelesh Amonkar, Advocate for the petitioner.

Mr. D. Pangam, Advocate General with Ms. Ankita Kamat, Additional Government Advocate for the Respondents.

Coram :- M. S. SONAK &
M. S. JAWALKAR, JJ.

Date : 24th July, 2020

P.C.

1. Heard Mr. S. D. Lotlikar, the learned Senior Advocate for the petitioner and Mr. D. Pangam, the learned Advocate General for the respondents.

2. The learned Advocate General makes a statement that the enquiry against the petitioner can be concluded within six months from today. We

note that by an order dated 19.06.2017, the petitioner was informed that an enquiry is contemplated against him and that he shall report to the Health Department, Porvorim, till further orders.

3. Apparently, since 19.06.2017, no enquiry has been held in the matter and, today, the statement is that further six months would be necessary to complete the enquiry which is yet to commence.

4. Mr. S. D. lotlikar, the learned Senior Advocate for the petitioner, submits that the impugned order dated 19.06.2017 has no basis in law since the legal provision against which the same has been issued, is not disclosed. He submits that if the impugned order is to be regarded as transfer order, even then, the same is patently illegal since there is no post in the Public Health Department to which, the petitioner could be transferred.

5. He submits that on account of the impugned order, the petitioner is suffering serious prejudice particularly in the matter of renewal of his registration not to mention other service benefits like vacations, etc., which the petitioner would be otherwise entitled to.

6. The learned Advocate General states that a reply will be filed at the earliest in relation to the impugned order dated 19.06.2017. Accordingly, we grant one week's time to the respondents for filing such reply.

7. A copy of such reply to be furnished to the learned Counsel for the petitioner. The reply should, inter alia, address the contentions now raised in relation to the impugned order dated 19.06.2017.

8. Upon receipt of reply, the petitioner is granted liberty to file a rejoinder if he chooses to file one. Liberty is also granted to the petitioner to apply.

M. S. JAWALKAR

M. S. SONAK, J.

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