

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 7 OF 2020

Ms. Immaculate Fernandes ..... Petitioner

*V e r s u s*

The State of Goa & Ors. .... Respondents

Mr. S. D. Lotlikar, Senior Advocate with Mr. Jayant Karn, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Ankita Kamat, Additional Government Advocate for the Respondent nos. 1 and 2.

Mr. Navin Pai Raikar, the Authorized Representative on behalf of Respondent nos.3, 4 and 5.

Coram :- M. S. SONAK, J

Date : 12<sup>th</sup> May, 2020

P.C.

Heard Mr. S. D. Lotlikar, the learned Senior Advocate, appearing for the petitioner, Mr. D. Pangam, the learned Advocate General appearing for the respondent nos.1 and 2 and Mr. Navin Pai Raikar, the authorized representative on behalf of respondent nos.3, 4 and 5.

2. Mr. Lotlikar, the learned Senior Advocate, makes a statement that service is complete on all respondents. He also states that just yesterday, the petitioner has received a letter from the School Management requiring her to take charge as in-charge Headmistress w.e.f. 18<sup>th</sup> May, 2020.

3. The aforesaid position is confirmed by the learned Advocate General as well as Mr. Raikar. Mr. Raikar states that the appointment was made effective from 18<sup>th</sup> May, 2020 because the lock down is to continue up to 17<sup>th</sup> May, 2020. He, however, states that the School Management will have no objection whatsoever if the petitioner takes charge as Headmistress from tomorrow itself i.e. 13<sup>th</sup> May, 2020.

4. Mr. Lotlikar, the learned Senior Advocate, states that the petitioner will take charge as Headmistress from tomorrow itself. According to me, this takes care of the first grievance of the petitioner.

5. Mr. Raikar points out that NOC for filling up the post of Headmistress was sought for in February 2020 itself. The NOC, has

however, been issued only on 4<sup>th</sup> May, 2020. He says that within a reasonable period, the vacancy will be filled up on regular basis for which co-operation is necessary from the Directorate of Education.

6. Accordingly, directions are issued to fill up the post of Headmistress on regular basis as expeditiously as possible and, in any case, within a period of two months from today. The Management as well as the Directorate should consider giving due date with effect from which such appointment can be made effective now that it is pointed out that the vacancy to the post of Headmistress arose on 1<sup>st</sup> May, 2020.

7. There is no dispute that no extension has been granted for continuance of respondent no.6 and that from tomorrow onwards, it is the petitioner who is to function as Headmistress in-charge.

8. According to me, the grievance raised by the petitioner stand substantially redressed in view of the above and there is really no necessity to keep this petition pending any further. By accepting the aforesaid statements

and issuing direction as above, this petition is disposed off.

9. All concerned to act on the basis of the authenticated copy of this order.

M. S. SONAK, J.

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