



**Government of Goa**  
**Department of Finance (Revenue & Control)**  
**Secretariat, Porvorim**  
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No. 12/2/2022-Fin(R&C) / 3233

Dated:10-03-2023

**ORDER**

Whereas the Hon'ble High Court of Bombay at Goa vide judgement dated 05/09/2022, in W.P. No. 835/2017 has observed that, if the employees, whose cause the petitioners claim to espouse, were indeed appointed before the appointed date, i.e 30/05/1987 and further, if before the appointed date, their service condition entitled them to continue in service until they attain the age of 60 years, then, there was no justification in retiring such employees upon their reaching the age of 58 years, in the absence of compliance with the provision of section 60(6) of the Reorganization Act, 1987;

And whereas Hon'ble High Court of Bombay at Goa, has directed to examine the representation received from prematurely retired pensioners in the context of law laid down in Laxman Chavan 2020 (5) MLS 428 and M L Patil, 2022 SCC (SC)685;

And whereas the Hon'ble Court had also directed that the appropriate authority shall examine the data available with itself to determine whether the instances of the allegedly prematurely retired employees are indeed covered by the decision in Laxman Chavan 2020 (5) MLS 428 and M L Patil, 2022 SCC (SC) 685, and if so to grant the financial benefits to them within the timelines indicated in the Judgement;

And whereas Hon'ble Supreme Court in Civil Appeal No. 4100 of 2022 at para 4 of the judgement has held that the appellant in the Civil Appeal (i.e. Shri M L Patil) shall be entitled to pension at the revised rates from the date he attains the age of sixty years and has further held that arrears shall be paid accordingly;

Cont...

And whereas this Department vide Circular dated 21/12/2022 had instructed Head of Departments to examine and verify details of premature employees of their Department with respect to the date of appointment, if the pensioner was appointed prior to 30/05/1987 and was made to retire at the age of 58 years in terms of order No. 2/6/94-PER dated 2<sup>nd</sup> July 1999;

And whereas the Head of Departments(HoDs) were instructed to decide on the extension of pensionary benefits based on the entitlement as per the above mentioned criteria and sanction the revised pensionary benefit and submit such cases to Directorate of Accounts by 30<sup>th</sup> December 2022;

Now therefore, the Government is pleased to extend to the eligible pre-matured pensioners who were made to retire at the age of 58 years, the benefits of pension at the revised rates from the date, the eligible pensioner attains the age of 60 years including arrears of pension in terms of the order in W.P. No. 835/2017 read with judgement and order in W.P.No. 961/2015, modified by the Hon'ble Supreme Court vide judgement in Civil Appeal No.4100 of 2022. All the HoDs are hereby directed to process such cases within a time bound manner failing which they will be held responsible for contempt of the orders of the Hon'ble High Court.

By Order and in the name of  
the Governor of Goa

*H. Bhat*  
10/03/2023  
(Pranab G. Bhat)

Under Secretary Finance (R&C)

To,

The Director, Printing Press and Stationery, Panaji-Goa with a request to kindly publish this Order in the Official Gazette

Copy to:-

- 1) The Director, Directorate of Accounts, Panaji-Goa.
- 2) All Head of Departments/Offices.
- 3) All Goa Government Pensioners Association, Colaco Building, 2<sup>nd</sup> Floor, L.C. Monteiro Raod, Margao-Goa 403 601.
- 4) Goa Association of Prematurely Retired Government Employees, House No.C-16/17, Near Shri Ram Temple, Batlem, Panaji-Goa.
- 5) Guard file.
- 6) Office copy.