

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.136 OF 2023

RAISA DOLOURS
FERNANDES

... PETITIONER

Versus

MURGAON EDUCATION
SOCIETY & ORS.

... RESPONDENTS

Mr L. Raghunandan, Advocate under Legal Aid Scheme for the
Petitioner.

Mr D. Pangam, Advocate General with Mr S. Priolkar,
Additional Government Advocate for Respondent No.3.

Mrs A. Agni, Senior Advocate with Ms J. Sawaikar, Advocate
for Respondent No.4.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATE : 31st JULY 2023

ORAL ORDER :

1. Heard Mr L. Raghunandan, who appears under the Legal Aid Scheme for the petitioner. Mr Pangam, learned Advocate General appears along with Mr S. Priolkar for respondent no.3 and Mrs Agni, learned Senior Advocate appears along with Ms J. Sawaikar for respondent no.4.

2. The limited grievance in this petition is to the non-constitution of College Tribunal in terms of Statute SC-7 framed by the Goa University.
3. The Statute SC-7 provides an appeal to a teacher who is dismissed or removed or whose services are otherwise terminated or who is reduced in rank by Governing Body to the College Tribunal. Similar provisions apply to the other employees.
4. The College Tribunal is to be constituted by the Government after consultation with the Goa University.
5. Accordingly, we direct the State Government to constitute such College Tribunal within three months from today. Mrs Agni, learned Senior Advocate for the University states that necessary communication will be immediately addressed to the Government and the University will fully cooperate in the consultation process so that the College Tribunal is constituted at the earliest.
6. With the above directions, we dispose of this petition. Once the College Tribunal is instituted, necessary intimation can be sent by the University to the petitioner. The petitioner, then, will be at liberty to institute an appeal before the College Tribunal so constituted by challenging her termination. The limitation in the peculiar facts of

the present case to commence from the date of constitution of the College Tribunal.

7. This petition is disposed of by issuing the above directions. There shall be no orders for costs.

8. The Goa Legal Aid Services Authority to pay Mr L. Raghunandan's fees as per the rules. The fees are paid in addition to the gratitude this Court expresses to Mr Raghunandan under the Legal Aid Scheme.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.