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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 823 OF 2025 (F)

Mr. Bernard Felinov Rodrigues, aged 62 years, residing at Roiz Mansion, 193/7, 3rd Ward, Colva, Salcete, Goa – 403 708. ... PETITIONER

Versus

1. Goa University, through its Registrar, Taleigao Plateau, Goa – 403 206.
2. State of Goa, through its Chief Secretary, Secretariat, Porvorim, Goa.
3. Director, Directorate of Higher Education, Government of Goa, Porvorim, Goa. ... RESPONDENTS

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Mr. Yogesh V. Nadkarni with Ms. Simran Khadilkar and Mr. Kunal Nadkarni, Advocates for the Petitioner.

Ms. A. Agni, Senior Advocate with Ms. Afrin Harihar Khanm and Mr. Junaid Shaikh, Advocates for Respondent No. 1.

Mr. Neehal Vernekar, Additional Government Advocate for Respondent Nos. 2 and 3.

CORAM: BHARATI DANGRE &
ASHISH S. CHAVAN, JJ.

DATED: 18th SEPTEMBER 2025

ORAL JUDGMENT: (per BHARATI DANGRE, J.)

1. Since we are hearing the Petition finally, we deem it appropriate to issue ‘Rule’, which is made returnable forthwith

with consent of respective Counsel representing the contesting parties.

2. On 11.05.2017, the State of Goa notified a scheme for rewarding meritorious Teachers in the institutions of higher education in Goa and published the same in the Official Gazette under Notification No. 9/457/2015-16/Tr.Award/DHE-426.

The scheme, being a part of the Petition and from the basis on which the Petitioner claims his entitlement for being granted one year extension of service, clearly set out the background, that there are about 1,500 Teachers in various degree colleges of Goa, including Goa University, by narrating the background as below:-

> *"There are about one thousand five hundred teachers in the various General Degree Colleges of Goa including those in Goa University who are providing their valuable services to enrich Higher Education sector in Goa. There is a scheme under which 8 teachers including Principals of Higher Secondary Schools and Headmasters of Schools are felicitated every year on the "Teachers Day". The scheme is operated by Directorate of Education. However all these years, the teachers working in professional degree Colleges and in Goa University were not considered under the scheme as the same was not made applicable to them. This scheme is designed in order to provide an opportunity to such of the eligible College/University teachers for being State Awardees."*

Similarly, the object behind the scheme are highlighted in the following words:-

> *"(1) The Scheme is basically designed with the intention of recognizing selfless and meritorious services rendered by teachers of General Degree Colleges and that of Goa University.*
>
> *(2) The Scheme will encourage awardees to serve Higher Education Sector with a renewed vigour and enthusiasm.*
>
> *(3) The Scheme will set an example of 'Role Model' teachers before the younger generation of teachers in the Higher Education Sector."*

3. The scheme has also determined the eligibility criteria for conferring the honour of State Awardee and also set out the nature/number of awards which contemplate thus:-

> *"Every year two most meritorious College/University teachers shall be bestowed with the State Award."*

In addition, the application of procedure was also specifically set out for conferment of the State Award, and guidelines were also issued to the institutional heads for recommendation of the Teachers to meet the eligibility criteria to be reminded that the Teachers with academic efficiency and good image in the students and community shall be given due weightage.

4. The Petitioner, working as a Lecturer with Goa University, being recruited on 09.10.1991, was recommended under the said scheme by the Goa University and on 31.08.2017, the Director of Higher Education informed the Registrar of the University that the Petitioner, the Teacher of the University, has been selected for the "Best Teacher Award" for the year 2017. Pursuant thereto, the said award in the form of a citation is also awarded to him by the Directorate of Higher Education. On the Teacher's Day, thereby granting public recognition for the valuable services rendered by him to the community as a Teacher of outstanding merit.

5. The Petitioner was due for retirement on 31.12.2024, and since he was the Best Teacher Awardee for the year 2017, as per the scheme, he made an Application to grant an extension of his service by one year.

The Additional Director of Higher Education, therefore, sought comments from the Registrar of the Goa University on 11.02.2019 and by communication dated 18.01.2024, the University communicated its approval to the Government for extension of the services of the Petitioner till 31.12.2025, as recommended by the Executive Council.

It is worth to note that the recommendation take into consideration the Official Gazette Notification dated 25.05.2017 and considers the fact that the Petitioner is a winner of the State

Award and is entitled for one year extension in service upon attaining his age of superannuation.

6. The Petitioner superannuated on 31.12.2024 and on 27.01.2025, he is issued an appointment order which describe his appointment as "re-employment on contract basis" in the School of Biological Sciences and Biotechnology, Goa University for a period of six months with effect from 01.01.2025.

The appointment order also make him eligible for a fixed monthly consolidated salary of Rs.1,15,650, arrived at by deducting the basic pension from the pay drawn at the time of his retirement and also stipulate that the amount of remuneration so fixed shall remain unchanged for the term of the contract.

The aforesaid order constrained the Petitioner to approach this Court by filing the present Writ Petition, where he has prayed for quashing and setting aside of the above order.

7. It is not in dispute that the Petitioner resumed his services upon being issued with the order of appointment, but after he resumed his services on 13.02.2025, he made a representation to the Directorate of Higher Education, raising objection as below:-

> *"It is noted that as per the above Notification in the Official Gazette, the extension is for one year from the date of superannuation. Therefore, I request you to kindly look into the matter as soon as possible, and earnestly appeal that I be given a one year service with*

> *the last drawn salary after deducting the pension amount."*

This resulted in a corrigendum being issued on 13.05.2025, which read thus:-

> *"The second to fourth paragraphs in the above referred order shall be read as:*
>
> *He shall be eligible for a fixed consolidated remuneration of Rs.65,000/- p.m. (not using the formula of last pay drawn minus pension), for the period from 01/01/2025 to 08/05/2025 as per approval of Directorate of Higher Education vide letter no. 2/10441/2017-DHE/175 dated 07/04/2025.*
>
> *He shall be eligible for a fixed monthly consolidated salary of Rs. 1,15,650/- arrived by deducting the basic pension from the pay drawn at the time of retirement, for the period from 09/05/2025 to 31/12/2025 as per approval of Directorate of Higher Education vide letter no. 2/10441/2017-DHE/175 dated 07/04/2025."*

8. The above corrigendum issued by the Goa University, as per approval of the Higher Education, resulted in enhancement of the consolidated remuneration of the Petitioner w.e.f. 01.01.2025 to 08.05.2025 and further enhancement in the consolidated salary for the remaining months, as the period of his service was further extended from 09.05.2025 to 31.12.2025, on approval of the Director of Higher Education.

This order is placed in the Petition by way of amendment, and the amended pleadings are introduced by raising a challenge to the said order and praying that it should also be quashed and set aside, as even this order did not meet the requirements of the policy of the State Government to grant extension to a State Awardee Teacher, in service for a period of one year. It was specifically pleaded that the consolidated remuneration per month is contrary to the scheme, as what was stipulated in the scheme was an extension of one year on attaining the age of superannuation.

9. We have heard Mr. Nadkarni, the learned Counsel appearing for the Petitioner, who would submit before us, that once the Government has declared a scheme by publishing it in the Official Gazette and on its declaration, a legitimate expectation is created in all those who are entitled to the benefit of the scheme, to be covered under the said scheme. He would submit that it may be true that in the year 2018, the Government published another Notification, but made it clear that it shall come into effect from the date when it is published, when it did away with the provision for granting extension of one year service to an Awardee Teacher and instead modified the term of the award by declaring that it shall consist of a cash price of Rs.3 lakhs and a citation. It specifically clarified to the following effect:-

> *"No extension in service will be awarded under this scheme for the awardees."*

It is his specific contention that this scheme, however, cannot deprive him of his right, as he was declared as an Awardee Teacher in the year 2017, and this curtailment of the benefit of extension of service under the new policy of the State Government shall not be made applicable to him.

10. By way of amendment, Mr. Nadkarni has brought before us the case of one Mr.Arun Salkar, who was also conferred with the Goa State Award for meritorious Teacher in Higher Education in the year 2015, and the Directorate of Higher Education has granted approval to the extension of the services in the Department of Chemistry, Goa University beyond the age of superannuation, as per the scheme for rewarding meritorious Teachers in Institute of Higher Education in State of Goa and his services were extended from 01.11.2018 to 31.10.2019.

Apart from this, the Petitioner has also placed on record the payroll information reflecting the monthly amount paid to Mr. Salkar, based upon his basic pay, along with DA, HRA, transport allowance etc., as if he was in the regular pay scale, considering the regular pay scale of 37400-67000 with grade pay of 10,000.

Also, another example which is cited before us is the case of Senior Professor, Savita Kerkar from the School of Biological

Sciences and Biotechnology, whose services are also extended from 01.08.2023 to 31.07.2024 and it is the contention of Mr. Nadkarni that she is also a State Awardee.

11. Relying upon the two instances, it is the submission of Mr. Nadkarni that once the State has formulated a scheme and it intends to honour the Teachers with excellence and directs the benefit to be conferred in a particular fashion, there is no reason why it should drag its feet in conferring the said benefit to the Petitioner. He would submit that, in fact, the Respondents have granted the extension, but have restricted the benefits by making the payment on a consolidated basis.

Mr. Nadkarni has instructions to make a statement, and in fact, he would submit that when he made a representation to the Director, he made it clear that upon being continued in the extended period of service for one year, the salary that shall be paid to him shall be considered after deducting the pensionary benefits that are granted to him.

12. The plea raised by Mr. Nadkarni is met with vehement opposition from the learned Additional Government Advocate, Mr. Vernekar, representing Respondent Nos. 2 and 3, on multiple counts. At the outset, he would submit that the scheme is purely executive in nature, and the provision in the scheme runs contrary to a statutory provision and it must give way to the statutory provision. This, he would submit that, in the wake of the submission that as far as the services of the Petitioner are concerned, the provisions of the Goa University Act apply and by inviting our attention to Section 15A of the said Act, Mr. Vernekar would submit that it has prescribed the retirement age of teaching staff of the Goa University and of the affiliated colleges of Goa University.

He would submit that in terms of Section 22, various statutes are framed by the University and there is also a statute governing the subject of appointment of Teachers of the University and other academic staff and the emoluments and other terms and conditions of service. By inviting our attention to the said statute, he would submit that it clearly contemplate that if the Statute is silent on any particular aspect, then as per sub-section SSB-1 (xx), which state that if the statute is silent on any aspect, what would be applicable is the Rules in form of CCS governing the stipulations and he would therefore, point his finger to F.R. 56, which has prescribed the age of superannuation and do not permit extension in services in normal circumstances.

13. Another submission of Mr. Vernekar is that the decision taken by the Government and notified in the Official Gazette, in the form of a scheme, did not have the financial concurrence of the Finance Department, and such a decision is a nullity. He would submit that the Finance Department was not consulted in that regard, and therefore, the financial implications of the scheme would not have been made known.

14. He would place reliance upon various authoritative pronouncements in support of his submission, and this includes the decision in the case of **State Bank of Bikaner & Jaipur & Others Vs. Jag Mohan Lal[1],** which has laid down a clear position in law to the effect that an employee is not entitled by way of right to have an extension in service once he attains the age of superannuation, despite the fact that he has good health and other qualities which would deserve him an extension.

The observation of the Apex Court in paragraphs 7 to 9, specifically, relied upon by Mr. Vernekar would read thus:-

> *"7. But by the time the petition came up for consideration, the respondent attained 60 years of age. The learned Single Judge without going into the merits of the matter dismissed the petition. He observed that it would be unnecessary to enter into the merits since the respondent has completed 60 years. The matter was taken up in appeal before a Division Bench of the High Court. The Division Bench accepted the appeal and gave relief to the respondent. It was commented:*
>
> > *"The order of refusing to give extension to the petitioner-appellant was because the extension was not deemed desirable in the interest of the Bank vide Annexure 3 letter dated 29-7-1982. Hence it is obvious that while considering the case of the petitioner the Bank took into consideration the criteria whether his extension*

1 AIR 1989 SC 75

> *shall be desirable in the interest of the Bank and the Bank did not apply its mind as to whether his services were found unsuitable on the ground of continued utility and health or integrity. It appears that the Bank keeping in mind the note which was added to Regulation 19(1) and only relying on the first proviso Regulation 19(1) they have decided the case of petitioner for extension of service. This clearly shows that there was no serious application of mind while dealing with the case of extension of the petitioner is based on collateral grounds and is also arbitrary as the Bank has applied different criteria which ought not to have been applied in the case of the petitioner. The Bank has not formed the opinion for not extending the services of the petitioner on any material or relevant consideration, but has applied a different criteria altogether and, therefore, the order is based on collateral and arbitrary grounds. The extension of the petitioner could have been refused only if he was found unsuitable on the ground of continued utility or good health or integrity and not whether it was desirable in the interest of the Bank."*

8. And observed:

> *"It is true that the right of extension of service is not a legal right, but it is a benefit. However, this benefit is not a concession, but is a privilege to which an officer is entitled after years of hard work in the Bank."*

9. It seems to us that the High Court has misconstrued the legal right claimed by the respondent. The right to get extension of service beyond the age of superannuation has received consideration of this Court in several cases. In State of Assam v. Basanta Kumar Das [(1973) 1 SCC 461] after reviewing almost all the earlier decisions; Kailash Chandra v. Union of India [AIR 1961 SC 1346]; B.N. Mishra v. State of U. P. [AIR 1965 SC 1567] and State of Assam v. Premadhar

[(1970) 2 SCC 211], this Court said: (SCR p. 165 : SCC p. 467, paras 16 and 18);

> *"A government servant has no right to continue in service beyond the age of superannuation and if he is retained beyond that age it is only in exercise of the discretion of the Government....*
>
> *The fact that certain persons were found fit to be continued in service does not mean that others who were not so found fit had been discriminated against. Otherwise the whole idea of continuing only efficient people in service even after they had completed 55 years becomes only meaningless."*

15. He has also placed reliance upon a further decision in the case of **P. Venugopal Vs. Union of India**[2], which has reiterated and followed the decision in **Jag Mohan Lal** (supra). Apart from this, he would also place reliance upon the decision of Delhi High Court in the case of **Radha Sharma Vs. Lieutenant Governor and Others**[3], where the learned Single Judge held that a request made for grant of extension to continue service after retirement, cannot be accepted by way of right and merely because the State Awardees in the past having granted some extension, is not a ground to confer the benefit on the Petitioner as two wrongs cannot make one right. Therefore, the refusal to grant the extension as prayed for was refused by the Delhi High Court.

2 (2008) 5 SSC 1

3 2011 (121) DRJ 652 (DB)

16. As far as Mrs. Agni, the learned Senior Counsel representing the Goa University, is concerned, she would submit that the Goa University was asked to submit a report, granting extension to the Petitioner in tune with the scheme of the State Government, which had made a positive recommendation to that effect. She would submit that some amount, like commutation of pension and gratuity, has been released in favour of the Petitioner, upon his retirement in the month of March 2025.

17. We have considered the counter submissions placed before us in support of the relief claimed in the Petition.

It is not in dispute that the Petitioner is conferred with an Award thereby recognizing his valuable services to the community as a Teacher of outstanding merit and this award is declared in his favour when the scheme notified on 25.05.2017 by the State Government for rewarding meritorious Teachers in the State was prevailing and the award at the relevant time consisted of cash amount of Rs.25,000/- and a citation along with an extension of one year in service of the selected Teacher. Such Teachers were to be facilitated on the Teacher's Day every year, and the Petitioner was bestowed with this honour on the Teacher's Day in the year 2017.

It is equally true that the State Government realised some difficulties in implementing the scheme and therefore, it notified a new scheme known as "State Teacher Awards for Excellence in

Higher Education Scheme 2018", which contained a declaration that the scheme shall come into force on the date of its Notification in the Official Gazette. Admittedly, this was published in the Official Gazette on 19.09.2018 and came into effect from that date. The new scheme now contemplated a cash price of Rs.3 lakhs and citation, but the reward in the form of extension in service, which was prevailing in the earlier scheme of 2017, was done away.

18. Mr. Vernekar has urged before us that the State Government was constrained to take the aforesaid decision as it found difficulty in granting extension in services, and we leave this submission at this, because we are not getting into the justification as to why the stipulation of extension of one year service was done away, and even we are not called upon to deal with it.

For us, what is relevant is that a scheme prevailing at the time when the Petitioner was conferred with the award contained a stipulation of allowing an extension of one year of service to an Awardee Teacher.

The Respondent-State Government as well as the University on recommendation was gracious enough to extend this benefit to the Petitioner retiring on 31.12.2024 and on 27.01.2025, an appointment order was issued to him with effect from 01.01.2025, restoring his services as a Teacher in the School of Biological Sciences and Biotechnology, Goa University, but the order faulted on two counts; firstly, it was restricted for a period of six months and secondly, the order fixed the monthly consolidated salary of the Petitioner at Rs.1,15,650 arrived at after deducting the basic pension for the pay drawn at the time of retirement.

19. When the Petitioner made grievance in this regard, a corrigendum came to be issued with the approval of the State and Goa University, by which, the period of service of the Petitioner is extended from 01.01.2025 to 31.12.2025 and from 09.05.2025 to 31.12.2025, he is held entitled for fixed monthly consolidated salary of Rs.1,15,650/- whereas for the period from 01.01.2025 to 08.05.2025, he is held eligible for a fixed consolidated remuneration of Rs.65,000 per month (not using the formula of last pay drawn minus pension).

20. We appreciate the realisation on the part of the Directorate of Technical Education that once the Petitioner is declared an Awardee under the scheme of 2017, he is entitled to extension of one year in service and therefore, he is granted the benefit of the extension of service from 01.01.2025 to 31.12.2025 and he shall be treated as superannuated with effect from 01.01.2026.

The only difficulty now remains is about the remuneration/ emoluments being payable to him.

When the scheme of 2017 contemplated extension of one year in service, it expected that the date of retirement would be postponed by a further period of one year and in this case, the Petitioner, was to continue in service on the same terms and conditions, on which he continued till 31.12.2024.

This would have made things simple.

Instead, what we note is the Government dragging its feet, firstly, by restricting his extension only to six months and when the Petitioner made a grievance, permitting him to have a full extension of one year, now, by the corrigendum, it directed that for remuneration from 01.01.2025 to 08.05.2025 is fixed at Rs.65,000 per month with a clarification that the formula of last pay drawn minus pension, is not applicable for this period, but for the period from 09.05.2025 to 31.12.2025, the monthly consolidated salary is fixed at Rs.1,15,650, a figure arrived at by deducting the basic pension from the pay drawn at the time of retirement.

21. In our considered opinion, the entire exercise carried out by the State Government is half-hearted.

Once, when the State Government had decided to honour its own Teachers and acknowledge their contribution to the community, it formulated a scheme, which would set an example of "Role Model Teachers", before the younger generation of Teachers in the Higher Education sector and encourage the

Awardees to serve the Higher Education sector with renewed vigour and enthusiasm.

We fail to understand why, the State Government is now adopting a stand, raising all sort of excuses, including the excuse of financial burden. The argument that when the scheme was published, the concurrence of the Finance Department was not taken, and that by extending the period of service by one year, it would be contradicting the statutory provision which has prescribed the age of retirement for the Teachers of University as projected as reasons for denial of benefit promised under the scheme.

We specifically inquired with Mr. Vernekar as to how many Teachers have been conferred the benefit of the 2017 scheme, and he would fairly submit that only two; the first is the Petitioner and the second is Professor A.V. Salkar.

When we inquired with him as to how the Government granted it support for extending the services of Mr. Salkar, as per the scheme rewarding the meritorious Teacher and in following the policy decision of the State Government by actually extending his services, as we find that he continued to work in the pay scale of 37,400-67,000, which was his regular pay scale on which he retired, which would definitely include the other benefits like the DA, transport allowance, etc., the submission of Mr. Vernekar is that, it was a mistake.

22. We are in complete agreement with the Delhi High Court, which says that two wrongs will not make one right, but at the same time, we find that if one of the employee who is also a State Awardee is granted the benefit of the policy decision, then why the Petitioner should be deprived of it, particularly, when we find no justification in doing so.

We also do not agree with the submission of Mr. Vernekar that the scheme would incur huge financial expenses, as we find that it is only the Petitioner and, in addition, Mr. Salkar, who is given the benefit.

We are sure that if the Accounts Department of the State Government would have sat with the calculations, considering what would be the entitlement of the Petitioner, if he would have continued in service, and postponing the disbursement of pensionary benefits to him, which includes his pension and gratuity, it would not have definitely cause any loss to the Government.

In any case, we are not concerned about the loss being caused to the Government, as we are of the view that if the State Government has declared a particular scheme of an Award, with avowed purpose of awarding its own Teachers and setting out an example of what the "Role Model Teacher" should be like and the Petitioner being acknowledged for his service to the community as a Teacher of outstanding merit, we are of the view that the Government cannot now come with excuses and that too completely baseless and frivolous aimed at denying the benefit to him.

Once the scheme was declared and was prevalent, and even the Petitioner was conferred with this honour through a citation, we are not permitting him to be deprived of the benefits, which stood attached to the said award, and this definitely included an extension of one year, meaning continuation of his services for a further period of one year and did not definitely justify, varying his service conditions to his detriment.

23. We must express that once the State Government has declared the scheme, by publishing it in the Official Gazette, the presumption available under Section 114 of the Indian Evidence Act, 1872 shall come into force as it contemplates that all the official acts have been regularly performed and therefore, a person like the Petitioner, who is a common man, a Teacher, is not expected to get into the aspect as to whether the State Government had obtained financial concurrence or not, and once the scheme is declared by a public Notification, it shall be presumed that the Government has followed the necessary procedure for its declaration and upon its declaration, it shall bind the Government and one and all.

24. Reliance placed upon various decisions by Mr. Vernekar and the legal proposition emerging there from is not disputed by us even for a moment.

Admittedly, an employee when he enters into service, is bound by the service conditions which will include his date of retirement, and he has no right to claim an extension in service merely because he is of the view, that he is an ideal employee. It is a trite position that no right is conferred on him to seek an extension, as it is not his legal right, and this benefit definitely is not a concession, but it is a privilege, which is the discretion of an employer, even if the officer is found to be fit to earn it, after long years of hard work, and this is what is the principle of law, which is laid down in the decision in case of like **Jag Mohan Lal** (supra) and **P. Venugopal** (supra).

In no case, the Petitioner claim extension in service, by way of right, and he is not seeking so before us.

What makes him seek this relief of extension is what is conferred upon him by the Government itself.

As we have already indicated, that we are not getting into the aspect of whether the scheme was properly formulated or whether all the procedural formalities have been complied, with as we are of the clear view that once the scheme is notified in the Official Gazette, it must operate unless and until it is withdrawn or recalled and this is what we precisely find the State Government doing, when it issued a fresh Notification in the year 2018, doing away with this benefit of extension of service.

25. As far as the decision of Delhi High Court in the case of **Radha Sharma** (supra) is concerned, the facts would clearly reveal that the Petitioner, a Science Teacher was awarded the State award by the Lieutenant Governor, Delhi administration for her meritorious/outstanding service, and before her retirement, she made various representations seeking extension of service for two years, claiming entitlement for extension, so she stood retired on 30.09.2006, as her representations were rejected. She approached the Tribunal, which directed the Respondents to re-examine her case for extending her services beyond the age of 60 years up to 62 years.

She had specifically relied upon the case of one Teacher who was granted an extension, but the Government specifically adopted a stand that it was done inadvertently due to oversight of FR-56 amended by DOPT vide Notification dated 13.05.1998, which clearly contemplated that no Government servant is entitled to extension of service beyond the age of 60 years.

In this particular facts, the Delhi High Court was of the specific view that there is no illegality in the order of the Tribunal, as the Petitioner had failed to show any right in her favour on the basis of which she is claiming extension, and merely because one of the State Awardee has been given extension in the past, the same cannot be taken as a precedent, on the principle that two wrongs cannot make one right, and the Respondents cannot be asked to commit the same mistake, which it had done inadvertently, when the Rules did not permit such extension.

26. In light of the aforesaid authoritative pronouncements and the submission advanced by Mr. Venekar that as far as the Awardee Teacher, Mr. Salkar, who is granted the benefit is by mistake, we are of the view that we, though we do not want to comment upon his entitlement, since the case of the Petitioner is before us and we are of the firm opinion that it is the declaration by the State Government which made the Petitioner entitled for claiming extension and this was in fact granted to him by Respondent Nos. 2 and 3 and except by tinkering with its benefit, by fixing the fixed consolidated salary being paid to him for the period of one year and this decision, according to us, cannot be sustained and hence deserve to be quashed and set aside.

27. Coming to the issue as to what should be the emoluments that should be paid to the Petitioner, since we are of the view that the Petitioner is entitled for benefit of the scheme by extending the period of his service in the post of Senior Professor in the School of Biological Sciences and Biotechnology, Goa University from 01.01.2025 to 31.12.2025, he is declared to be eligible for all the benefits of the regular post, i.e. which are extendable to the post of

Senior Professor and as per the pay slip of December 2024, which has indicated his basic pay, DA, HRA and TA.

We must therefore insist that the Respondents shall continue the services of the Petitioner in the same pay scale with all the benefits accruing to him for a period of one year, by holding him eligible for those benefits.

The manner in which the Respondents now want to adjust the amount paid to the Petitioner, in the form of any retirement benefits, we leave it to be worked out by the University to determine the same by following the proper procedure.

28. In the wake of the above, Rule is made absolute in the aforesaid terms.

ASHISH S. CHAVAN, J. **BHARATI DANGRE, J.**