

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 501 OF 2015

MR. HENRIQUE DE SOUZA., ... Petitioner
Versus
STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 3 ORS., ... Respondents

Mr. Dajvip Vilas Patkar, Advocate for the petitioner.
Mr. A. Prabhudessai, Advocate for the respondent nos. 1 and 2.
Respondent no.4 in person.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 8th July, 2015

P.C.

Heard Mr. D. Patkar, learned counsel appearing for the petitioner.

2. The above petition inter-alia seeks to challenge the order passed by the National Green Tribunal dated 26.05.2015 whereby a notice for admission came to be issued by the learned Tribunal to the petitioner herein.

3. Mr. Patkar, learned counsel appearing for the petitioner points out that on the earlier occasion, there were orders passed by the learned Tribunal directing that the petition filed by the respondents would be examined subject to furnishing security of a sum of Rs.5 lakhs and according to the petitioner such bank

guarantee has not been furnished. The learned counsel further pointed out that without hearing the petitioner, two orders were passed by the learned Tribunal which according to him are self contradictory. The learned counsel as such submits that the impugned order passed by the learned Tribunal dated 26.05.2015 deserves to be quashed and set aside.

4. We have given our thoughtful consideration to the contentions of Mr. Patkar, learned counsel appearing for the petitioner, and we find that the order of the learned Tribunal is only in issuing notice before admission to the petitioner. As such, all contentions raised by Mr. Patkar appearing for the petitioner can be put forward before the learned Tribunal at the time of the hearing of the matter on admission. Consequently, we find that there is no failure of justice to the petitioner nor that the principle of natural justice have been breached or any jurisdictional error in the impugned order which would call for interference by this Court in the present petition.

5. Subject to the above, the petition stands rejected.

K. L. WADANE, J.

F. M. REIS, J.

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