

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 920 OF 2015

REDSTONE SPACES A PROPRIETORSHIP
REPRESENTED BY ITS PROPRIETOR
SHRI.SHAKEEL LADAK. THRO. P.O.A.

... Petitioner

Versus

MR.PETER PAUL D'SOUZA AND 3 ORS.,

... Respondents

Mr. Parag Rao, Advocate for the Petitioner.

Ms. V. Shetye, Advocate for the Respondent no. 1.

Mr. S. S. Rebello, Addl. Government Advocate for the Respondent
no. 4.

Coram:- K. L. WADANE, J.

Date:- 21st December, 2015

P.C.

Heard the learned Counsel appearing for the respective parties.
None appears for the Respondent nos. 2 and 3 though served with the
notice.

2. During the course of arguments, it was made clear that the
present Petitioner was not a party to the proceedings in which the
impugned Order is passed. The passing of the Order against a person
without bearing is absolutely a breach of natural justice. Therefore,
the impugned Order has to be set aside. The Officer of the Authority
i.e. Respondent no. 4, who is present in Court in person, makes a
statement that he would decide the matter within a period of four
months.

3. Hence, the impugned Order dated 02.11.2015 is hereby quashed and set aside. The Respondent no. 4 is directed to decide the Appeal within a period of four months. All the contentions of the parties are left open.

4. Writ Petition is disposed of.

K. L. WADANE, J.

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