

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 921 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 4 ORS.,

... Respondents

Mr. Parag Rao, Advocate for the Petitioner.

Ms. V. Shetye, Advocate for the Respondent nos. 1 to 3.

Mr. S. S. Rebello, Addl. Government Advocate for the Respondent
no. 5.

Coram:- K. L. WADANE, J.

Date:- 21st December, 2015

P.C.

Heard the learned Counsel appearing for the respective parties.
None appeared for the Respondent no.4 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. 5, 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. 5 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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