

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 916 OF 2015

IN

WRIT PETITION NO. 397 OF 2015

MR. SWAPNIL NAIK.

... Applicant

Versus

STATE OF GOA, THROUGH ITS CHIEF
SECRETARY AND 15 ORS.,

... Respondents

Mr. S.D. Lotlikar, Senior Advocate with Mr. C. Padgaonkar,
Advocate for the Applicant.

Mr. S.S. Rebello, Additional Government Advocate for Respondent
No.1.

Mr. Nitin Sardesai, Senior Advocate with Ms. Suzette S. Pereira,
Advocate for Respondent No.2.

Mr. D. Pangam, Advocate for Respondent No.3.

Mr. A. Kamat, Advocate for Respondents No.8 & 9.

Coram:- F. M. REIS &
C. V. BHADANG, JJ.

Date:- 21st December, 2015

P.C.:

This is an application for amendment of the main petition on the ground of some subsequent events.

2. The learned Additional Government Advocate points out that though he seriously disputes the allegations based therein, but however, application for amendment may be allowed.

3. The learned Counsel appearing for the private respondents vehemently oppose the application for leave to amend the petition as

according to them this is a malafide attempt on the part of the petitioner to try and obtain a relief through the backdoor.

4. In the facts and circumstances of the case, as the main petition is already posted for final hearing, we find that keeping all the contentions of the respondents open, which may be raised in an affidavit in reply, leave be granted to the petitioner to amend the petition as prayed for. Amendment to be carried out within three days with copies to the respective Counsel of the respondents. Liberty to the respondents to file additional reply, if any, before the next date of hearing of the main petition with advance copy thereof to the learned Counsel appearing for the petitioner.

5. Application stands disposed of.

C. V. BHADANG, J.

F. M. REIS, J.

NH