

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 74 OF 2016

SHRI.RAMKRISHNA KASHINATH PARAB. ... Petitioner
Versus
STATE OF GOA, THROUGH CHIEF
SECRETARY AND ANR., ... Respondents

Mr. P. Talaulikar, Advocate for the Petitioner.
Mr. Sagar Gurudas Dhargalkar, Addl. Government Advocate for the
Respondents.

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

Date:- 10th March, 2016

P.C.

Heard Shri Talaulikar, learned Counsel appearing for the
Petitioner and Shri Sagar Dhargalkar, Addl. Government Advocate
appearing for the Respondents.

2. Upon hearing the learned Counsel, the dispute revolves whether
three bills which have allegedly been submitted by the Petitioner to
claim the subject subsidy were in fact received by the concerned
Department.

3. Learned Addl. Government Advocate appearing for the
Respondents, upon instructions, submits that the Petitioner has only
submitted two bills for two quarters in respect of two cows and has
failed to submit the remaining three bills for the next three quarters.
Learned Addl. Government Advocate has also brought to our notice

an extract of the payment of such subsidy to the Petitioner in connection with such bills. Shri Dhargalkar, learned Addl. Government Advocate appearing for the Respondents, further submits, upon instructions, that as far as the third cow is concerned, the payment has already been effected to the Petitioner.

4. The question for consideration as such appears to be a disputed question of fact and, consequently, Shri P. Talaulikar, learned Counsel appearing for the Petitioner, submits that the Petitioner has evidence to substantiate the contention that the subject three bills were submitted to the concerned Department which is otherwise disputed by the Respondents.

5. Hence, as it is also brought to our notice that a representation with that regard was made by the Petitioner dated 03.08.2015 which has not been decided by the Respondents, we dispose of the above Petition by directing Respondent no. 2 to take a decision on the said representation dated 03.08.2015 after giving an opportunity to the Petitioner to produce further material in support of such contention, in accordance with law. All contentions of the parties on merits are left open.

6. Petition is disposed of accordingly.

K. L. WADANE, J.

F. M. REIS, J.

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