

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 119 OF 2016

MR.FRANCIS MISQUITA.

... Petitioner

Versus

REGISTRATION AUTHORITY NORTH GOA
DISTRICT, DIRECTOR OF FOOD AND
DRUG ADMINISTRATION AND ANR.,

... Respondents

Adv. Pranay A Kamat for the Petitioner.

Mr. S. Dhargalkar, Add. Government Advocate for Respondent no.1.

Coram:- S. B. SHUKRE, J.

Date:- 2nd February, 2016

P.C.:

Heard the learned counsel for the petitioner and learned counsel for the respondent no.1, who waives service of notice for respondent no.1.

2. The officer of the respondent no.1 Mr. Rajiv Korde, Registering Authority, North Goa, is personally present.

3. In view of the fact that presently this petition only challenges the show cause notice dated 11/1/2016, whereby the intention has been expressed by the learned authority to reject the application of the petitioner filed for renewal of the licence, unless sufficient cause is shown by the petitioner not to do so, I do not think there is any need

to issue notice to respondent no.2.

4. On perusal of the notice under challenge, it is seen that the renewal application has not been so far rejected and an opportunity has been given to the petitioner to file his say in the matter.

5. In view of this, it would be appropriate to direct the competent authority to take decision in the matter in accordance with law by giving sufficient opportunity of being heard to the petitioner and also submitting his say, if any, in the matter. The learned counsel for respondent no.1, on instructions, of the officer, who is present in Court submits that if the matter is remanded to the Registering authority, North Goa, it shall decide it in accordance with law in pursuance of the direction issued by this Court.

6. Accordingly, it is directed that the competent authority shall take decision on the licence renewal application of the petitioner within 15 days from the date of filing of the reply, for which time of seven days is granted to the petitioner, in accordance with law. Meanwhile the licence which is expiring on 11/2/2016, shall continue to be valid and in case any order adverse to the petitioner is passed, the license shall continue to be valid for a period of thirty days and in that case, the adverse order, if any, shall be treated as stayed for its effect and operation for the period of thirty days from the date of that order.

7. In these terms, the petition is allowed and disposed of.

S. B. SHUKRE, J.

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