

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 171 OF 2016

IN

WRIT PETITION NO. 146 OF 2009

STATE OF GOA THROUGH CHIEF
SECRETARY OF GOA.

... Applicant

Versus

H. L. NATHURMAL PROPRIETARY
CONCER, THROUGH ITS PROPRIETOR,
HARESH L. MELWANI

... Respondent

Ms. Susan Linhares, Additional Govt. Advocate for the applicant.
Mr. P. S. Rao, Advocate for the respondent.

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

Date:- 10th February, 2016

P.C.:

Heard Ms. Linhares, learned Additional Govt. Advocate and
Mr. P. S. Rao, learned Counsel appearing for the respondent.

2. It is not in dispute that the facts in the present petition are identical to the facts in Writ Petition No.234/2009 wherein time has been granted to the applicant/State Government to file an additional affidavit on or before 12th February, 2016 pursuant to an application made for extension of time.

3. In the peculiar facts and circumstances of the case and considering the nature of the dispute raised in the writ petition, we

hereby grant last and final opportunity to the applicant/State Government to file an additional affidavit on or before 12th February, 2016. In case no such affidavit is filed, the right of filing such an affidavit shall stand automatically forfeited. The respondents/petitioners, if so advised, are at liberty to file a rejoinder, if any, to such an affidavit, at least two days before the next date.

4. With the aforesaid directions application stands disposed of.

5. Place the writ petition for final hearing first on Board on 23/02/2016.

K. L. WADANE, J.

F. M. REIS, J.

ssm.