

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 257 OF 2016

IN

WRIT PETITION NO. 709 OF 2015

BIG BOX PRINT AND PACKAGING.

... Applicant

Versus

SHRI JAHIR S. VENGURLEKAR.

... Respondent

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. Vledson Lucio Braganza, Advocate for the applicant.

Mr. P. Vengurlekar, Advocate for the respondent no.1/original petitioner.

Mr. C. A. Ferreira, Advocate for the respondent no.2/original respondent no.1.

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

Date:- 9th March, 2016

P.C.

Heard Mr. J. E. Coelho Pereira, learned Senior Counsel appearing for the applicant, Mr. P. Vengurlekar, learned counsel appearing for the respondent no.1/original petitioner and Mr. C. A. Ferreira, learned counsel appearing for the respondent no.2/original respondent no.1.

2. This is an application for speaking to the minutes as according to Mr. Coelho Pereira, learned Senior Counsel appearing for the applicant based on the order dated 02.12.2015 passed by this Court, the respondent no.1/original petitioner filed an application for

withdrawal of the complaint before the respondent no.2/original respondent no.1. It is further the contention of the learned Senior Counsel that without passing the order on such application, the respondent no.2/original respondent no.1 was proceeding with an inquiry under Section 7A of the said Act. The learned Senior Counsel as such points out that the order passed by this Court may be clarified that the respondent no.1/original petitioner should be permitted to withdraw his complaint.

3. On the other hand, Mr. Ferreira, learned counsel appearing for the respondent no.2/original respondent no.1 submits that based on the subsequent events, the question of filing an application for speaking to the minutes is not at all justified.

4. Mr. P. Vengurlekar, learned counsel appearing for the respondent no.1/original petitioner has submitted that the respondent no.1/original petitioner desires to withdraw his complaint as he has no substantial claim against the respondent no.2/original respondent no.1.

5. In the facts and circumstances of the case, we find that the application for speaking to the minutes is not maintainable. Needless to say that the respondent no.2/original respondent no.1 shall proceed to pass an order on the application filed by the respondent no.1/original petitioner dated 08.03.2016 after hearing the applicant

herein in accordance with law.

6. The application stands disposed of accordingly.

K. L. WADANE, J.

F. M. REIS, J.

at*