

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 579 OF 2016

JAISU SHIPPING CO. PVT. LTD., THR.
ITS DIRECTOR SHRI PRANAV V.
SAMAPT.

... Petitioner

Versus

THE GOVERNMENT OF GOA, REP. BY
DIRECTOR OF TOURISM AND THE
COMPETENT AUTHORITY.

... Respondent

Shri Sudesh Usgaonkar, Advocate for the Petitioner.

Shri J. Gomes, Additional Government Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 5th October, 2016

P.C.:

Heard Shri Usgaonkar, the learned Counsel for the petitioner and the learned Additional Government Advocate for the respondent.

2. On behalf of the respondent reliance is placed on the constitution bench decision of the Hon'ble Supreme Court in the case of SBP & CO. V/S. PATEL ENGINEERING LTD. & ANR. (2005) 8 SCC 618, in particular para 45 thereof, in order to contend that a petition under Article 226 of the Constitution of India would not be maintainable.

3. Faced with this situation, the learned Counsel for the petitioner, on instructions, seeks permission to withdraw the petition as the

petitioner intends to take recourse to alternate remedy, if any, available in law.

4. Without expressing any opinion on the availability or the merits of any such alternate remedy, the petition is disposed off as withdrawn. Needless to mention that this Court has not expressed any opinion on the merits of the case.

C. V. BHADANG, J.

NH