

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 917/2015**

North Goa Rent A Cab Association,
A Society registered under the Societies
Registration Act, 1860, having its
Office and place of business at
House No.398, Morod, Sangolda.
Bardez, Goa, through its authorised
President, Ramdas Sakharam Palkar,
son of Sakharam Palkar, 37 years old,
married, Indian National, Cab owner,
Resident of House No.141, Naikawaddo,
Calangute, Bardez, Goa.

2. Ramdas Sakharam Palkar,
son of Sakharam Palkar, 37 years old,
married, Indian National, Cab owner,
Resident of House No.141, Naikawaddo,
Calangute, Bardez, Goa.

..... Petitioners.

V/s.

1. State of Goa,
through the Secretary Transport,
Government of Goa, Goa Secretariat,
Alto Porvorim, Bardez, Goa 403 521.

2. State Transport Authority,
Authority constituted under
Section 68 of the Motor Vehicles Act,
1988, having its Office at 1st Floor,
Junta House, Opp. Hotel Fidalgo,
Panaji, Goa 403 001,
through its Member Secretary,

3. Director of Transport and
Member Secretary,
State Transport Authority,
Directorate of Transport, Govt. of Goa,

1st floor, Junta House,
Opp. Hotel Findalgo,
Panaji, Goa 403 001.

4. The Government of India,
through the Secretary,
Ministry of Road Transport and
Highways, Transport Bhawan,
Sansad Marg, New Delhi 110 001.

5. North Goa Tourist Taxi
Owners' Association,
having Office at Naikawado,
Calangute, Bardez, Goa
represented by Mr Vasudev Arlekar.

..... Respondents.

Mr. S. G. Desai, Senior Advocate with Mr. Shirin V. Naik, Advocate for
the petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Mr. D. Lawande,
Government Advocate for the respondents No.1, 2 and 3.

Mr. D. Lawande, Assistant Solicitor General for the respondent No.4.

Mr. P. Vernekar, Advocate for the respondent No.5.

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

Date : - 21st March, 2016.

ORAL JUDGMENT : (PER F.M. REIS, J.)

Heard Mr. S. G. Desai, learned Senior Counsel appearing
for the petitioners, Mr. A.N.S. Nadkarni, learned Advocate General

appearing for the respondents No.1, 2 and 3, Mr. D. Lawande, learned Assistant Solicitor General appearing for the respondent No.4 and Mr. P. Vernekar, learned Counsel appearing for the respondent No.5.

2. Rule. Learned Counsel appearing for the respondents waive service. Heard forthwith, with the consent of the learned Counsel.

3. Heard extensively Mr. S.G. Desai, learned Senior Counsel appearing for the petitioners, who pointed out that under the Rent a Cab Scheme, 1989, constituted by the Central Government, the petitioners had filed an application before the State Government who is the Licensing Authority to allow such scheme to be operated in the State of Goa. The learned Senior Counsel further pointed out that no action on such an application has been taken although such an application was filed on 5th June, 2015. The learned Senior Counsel has also brought to our notice clauses 5, 6 and 7, as well as clause 2 of the Rent a Cab Scheme to point out that the State Government has to either allow or reject such applications after giving proper hearing to the applicants.

4. On the other hand, Mr. A.N.S. Nadkarni, learned Advocate General appearing for the respondents No.1 to 3, points out that the Licensing Authority would consider the application as expeditiously as possible.

5. Upon hearing the learned Senior Counsel appearing for the petitioners, as well as the learned Advocate General, without going into the merits of the rival contentions with regard to the entitlement claimed by the petitioners to avail of such a Scheme, we find it appropriate to dispose of the above writ petition by directing the Licensing Authority to dispose of the application filed by the petitioners dated 5th June, 2015 as expeditiously as possible and in any event, within eight weeks from the date of receipt of the copy of this order, in accordance with law. Needless to say, all contentions of both the parties, on merits, are left open.

6. Rule stands disposed of in the above terms, with no order as to costs.

K.L. WADANE, J.

F.M. REIS, J.

ssm.