

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1111 OF 2016

MR. AGNELO JUDAS FERNANDES (M/S.
FLOATING PONTOON JETTY),

... Petitioner

Versus

THE STATE OF GOA, THR. CHIEF
SECRETARY AND 2 ORS.,

... Respondents

Mr. Wilbur Menezes and Ms. Winnie Coutinho, Advocates for the
petitioner.

Mr. S. D. Lotlikar, Advocate General with Ms. P. Sawant, Additional
Govt. Advocate for respondents No.1 and 3.

Mr. D. Lawande, Additional Advocate General for respondent No.2.

Coram:- SMT. R. P. SONDURBALDOTA &
C. V. BHADANG, JJ.

Date:- 1st December, 2016

P.C.:

The impugned order is passed on the ground that the petitioner has not replied to the show cause notice dated 30th June, 2016. The petitioner has produced a copy of the reply dated 12th July, 2016 which bears an endorsement of the Office of respondent No.2 having received it on 15th July, 2016. In the circumstance, Mr D. Lawande, the learned Additional Advocate General makes a statement that respondent No.2 shall decide the show cause notice on or before 16th December, 2016, after hearing the petitioner and the complainant.

2. In view of the said statement, the petition is disposed of. The

impugned order dated 18th October, 2016 is quashed and set aside. Respondent No.2 shall hear the petitioner and the complainant on the show cause notice dated 30th June, 2016 and decide the same on or before 16th December, 2016. The petitioner and the complainant shall appear before respondent No.2 on 9th December, 2016 at 3.00 p.m.

3. In view of certain serious allegations of fraud made in the show cause notice against the petitioner, he is directed that he shall not operate his establishment namely, M/s. Floating Pontoon Jetty, until decision on the show cause notice.

C. V. BHADANG, J.

SMT. R. P. SONDURBALDOTA, J.

ssm.