

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1105 OF 2017

Estelita Maria Dias & Anr. ... Petitioners

Versus

State of Goa & Ors. Respondents

Mr. L. Raghunandan, Advocate for the Petitioners under Legal Aid Scheme.

Mr. D. Lawande, Advocate General with Mr. D. Shirodkar, Additional Government Advocate for the Respondent Nos.1 and 4.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 3 October 2018.

P.C. :

On 25 September 2018, we had passed the following order.

“The learned counsel for the Petitioners tenders the written communication signed by the Petitioner Nos.1 and 2 that they do not intend to pursue this petition any further and they want to withdraw this petition unconditionally. The communication is taken on record.

2. There is no impediment in disposing of the petition but since the learned counsel for the Petitioners is

appearing through the Legal Aid, we appropriate that the Member Secretary will call the Petitioner Nos.1 and 2 and confirm from them that they intend to withdraw the writ petition as stated in this communication.

3. The learned Advocate General states that he will take instructions as regards the prayer made by the Petitioner Nos.1 and 2 regarding waiving of costs.

4. Stand over to 3 October 2018. To be placed under the caption "For Directions".

2. At that time, we had taken written instructions given by the Petitioners on record. We are informed that the Member Secretary had an interaction with the Petitioners and has endorsed that the Petitioners have confirmed the position that they are withdrawing the petition unconditionally. In view of this position, the petition need not be taken any further.

3. The learned Advocate General states that considering the peculiar facts and circumstances of this case, the State has decided not to levy any charges for keeping the body in the morgue and the charges are being waived. We accept the statement.

4. The writ petition is disposed of as withdrawn.

5. The learned counsel for the Petitioners states that he has received instructions to request the Court for four weeks to collect the remains. Accordingly, four weeks time is granted to the Petitioners to do the needful.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.