

IN THE HIGH COURT OF BOMBAY AT GOA***WRIT PETITION NO.850 OF 2018***

Ashwini Ashok Gaonkar and 6 others ... Petitioners.

Versus

State of Goa and others ,.. Respondents

Mr.Wilbur Menezes, Advocate for the Petitioners.

Mr.Pravin Faldessai, Additional Government Advocate for Respondent.

Mr.Deepak Gaonkar, Advocate for Respondent no.4.

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

Date : 25 September 2018.

P.C.:

The learned counsel for the Village Panchayat has placed before us an affidavit in reply. He has stated that the Petitioners have filed Panchayat Petition under Section 178 of the Goa Panchayat Raj Act to the Respondent no.4 as against the revocation of the N.O.C. The learned Additional Government Advocate states that even Show Cause Notice has been issued under the provisions of the Goa Excise Duty Act. The learned counsel for the Village Panchayat and the learned Additional Government Advocate state that the proceedings have been initiated against the Petitioners under the relevant statute

and the Petitioners have approached the Authorities under the statute for redressal of their grievance. The learned counsel for the Petitioners, however, makes a grievance that the statutory appeals are not being taken up at an early date and the Petitioners are suffering loss because of the closure of their business.

2. Considering the fact that the statutory remedy has already been availed of by the Petitioners, we are of the opinion that this Petition need not be kept pending. We, however, are inclined to accept the request made by the Petitioners for time-bound disposal of the statutory remedy is availed of by the Petitioners. The Authority, before whom the Petitioners have approached, shall dispose of the proceedings pending before it within a period of six weeks from today. The decision will be taken on its own merits and as per law.

3. The parties shall appear before the concerned Authority on 1 October 2018 and produce this order before the Authority so that it can be effective time-bound disposal. The period of six weeks will commence from 1 October 2018.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.