

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.169 OF 2019**

Mr. Francisco Antonio
Fernandes e Faria

... Petitioner

versus

The Chief Officer of Mormugao
Municipal Council & Ors.

... Respondents

Mr. Bhargav Khandeparkar, Advocate for the Petitioner.

Mr. V.V. Pednekar, Advocate for Respondent No.1.

Mr. A.D. Bhobe, Advocate for Respondent No.3.

Ms. Neha Kholkar, Additional Government Advocate for
Respondents No.4 & 5.

**Coram:- M.S. SONAK &
NUTAN D. SARDESSAI, JJ.**

Date :- 16th JULY, 2019

ORAL ORDER :(Per M.S. SONAK, J.)

After this matter was argued for some time, Mr. B. Khandeparkar, the learned Counsel appearing for the petitioner, on the basis of instructions from the petitioner, seeks leave to withdraw this petition with liberty to institute a revision before the Director of Municipal Administration in terms of provisions of the Goa Municipalities Act. He states that such revision application will be instituted within four weeks from today in order to question the order dated

18/12/2018 made by respondent no.1 and requests that some directions may be issued to the Director of Municipal Administration to dispose of the revision petition expeditiously.

2. Though, the Director of Municipal Administration is not a party to these proceedings, taking into consideration the fact that the petitioner has been agitating this issue for last several years, we are sure that the Director of Municipal Administration will endeavour to dispose of the petitioner's revision application as expeditiously as possible and in any event within a period of four months from the date of its institution. Needless to add that the Director of Municipal Administration will afford all parties concerned opportunity of hearing so that there is no complaint of failure of natural justice. We further make it clear that we have not examined the matter on merits and therefore all contentions of all parties are left open for adjudication by the Director of Municipal Administration, in case the petitioner indeed institutes a revision petition.

3. With the aforesaid observations, as well as liberty,

leave is granted to withdraw this petition. The petition is disposed of as withdrawn with liberty as prayed for.

NH **NUTAN D. SARDESSAI, J.**

M.S. SONAK, J.