

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 573 OF 2019

Ms. Jennifer Theresa Margarita Figueredo
and Others.

.... Petitioners.

Versus

Union of India and another.

.... Respondents.

Mr. Sandesh Padiyar, with Mr. P.P. Shirodkar, Advocates for the
Petitioners.

Coram : M.S. Sonak &
Nutan D. Sardesai, JJ.

Date : 16th July, 2019.

P.C.:-

Heard Mr. Padiyar, learned Counsel for the Petitioners.

2. The challenge in this Petition is to the order dated 21st November, 2014, made by the Assistant Director of Enforcement (Adjudicating Authority) under the provisions of the Foreign Exchange Management Act, 1999 (FEMA). As against the impugned order, the Petitioners have a remedy of instituting an appeal to the Special Director (Appeals).

3. It is the case of the Petitioners that the impugned order was served upon Petitioners by pasting on the premises sometime on 23rd February, 2019. This Petition was lodged in the first week of May,

2019. The Petitioners were pursuing this matter before this Court. Therefore, if any issue of limitation arises, we are sure that the Appellate Authority will give due regard to all these circumstances. However, since the Petitioners have alternate and efficacious remedy available under the FEMA itself, we are not inclined to entertain this Writ Petition. Accordingly, this Petition is disposed of by granting liberty to the Petitioners to institute an appeal against the impugned order, in case the Petitioners so choose. All contentions of the Petitioners are expressly kept open, since we have not examined the merits of the matter.

4. The Petition is disposed of in the aforesaid terms.

5. All concerned to act on the basis of an authenticated copy of this order.

Nutan D. Sardesai, J.

M.S. Sonak, J.