

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 500 OF 2019

IN

WRIT PETITION NO. 434 OF 2018

DR. SUYOG SAMUEL ARAWATTIGI., ... Applicant

Versus

SALONI SUBHASHCHANDRA NAGZARKAR
AND ANR., ... Respondents

Mr. Ashwin D. Bhobe, Advocate for the Applicant.

Mr. S.D. Lotlikar, Senior Advocate with Ms. P. Madiwalar,
Advocate for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 10th June 2019

ORAL ORDER:

Heard for some time.

2. On hearing the learned Counsel for the parties, I do not find that the application as framed and filed can be entertained in a disposed off Petition.

3. Mr. Bhobe, the learned Counsel for the applicant pointed out that the applicant had moved the Trial Court, seeking a direction to the respondents, to grant NOC in order to enable the applicant to obtain the license under the Goa Medical Practitioners Act, 2004 (Act, for short). The learned Counsel for

the applicant pointed out para 3 of the application in order to submit that the said application was only in context of obtaining permission from the Food and Drugs Administration (FDA) and not in respect of grant of NOC for obtaining the license under the said Act. He, therefore, submits that the applicant would file a fresh application, before the Trial Court, within three days, seeking a direction to the respondents to give NOC, in order to enable the applicant to apply for license under the said Act.

4. In such circumstances, the civil application is disposed off, with liberty to the applicant to move the Trial Court, seeking a direction to the respondent, to grant NOC in order to enable the applicant to obtain the license under the said Act. If such an application is filed, the learned Trial Court shall decide the same on its own merits and in accordance with law, within a period of three weeks from today. It is made clear that this Court has not expressed any opinion on the merits of any such application, proposed to be filed. Rival contentions of the parties are left open.

C. V. BHADANG, J.