

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 1139/2018
WITH
CONTEMPT PETITION NO.52 OF 2018
IN
WRIT PETITION NO. 1139/2018

Rajesh Vishram Sawal. Petitioner.
V/s.
Director of Panchayats and ors. Respondents.

Mr. S.D. Lotlikar, Senior Advocate with Mr. C. Padgaonkar,
Advocate for the Petitioner.

Ms. Priyanka Kamat, Additional Government Advocate for original
Respondents No. 1 and 2.

Mr. Galileo Teles, Advocate for original respondent No. 3

Mr. S.S. Kantak, Sr. Advocate with Mr. Abhijeet Kamat,
Advocate for Respondent No.5.

***Coram : M.S. Sonak &
Prithviraj K. Chavan, JJ.***

Date : 28 January 2019.

P.C.:

Heard the learned Counsel for the parties.

2. The Petition can be disposed of by directing the Block Development Officer-Respondent No.2 to dispose of the Petitioner's Panchayat Appeal No. 201(A)(1)/06/2018-19/2018 within a period of 15 days from today. Accordingly, we direct the Block

Development Officer-Respondent No.2 to dispose of this appeal within a period of 15 days from today, after hearing all the concerned parties.

3. We are informed that the appeal is, in fact, posted for hearing tomorrow i.e. 29 January 2019. The hearing to proceed and the order to be made within 15 days from today. The orders are to be communicated to the concerned parties.

4. It is made clear that this Court has not examined the matter on merits and, therefore, all contentions of all the parties are left open, to be decided by the Block Development Officer.

5. Ms. Kamat, the learned Additional Govt. Advocate assures this Court that the Block Development Officer, on this occasion, will positively dispose of the matter on its own merits and in accordance with law.

6. In so far as Contempt Petition No.52/2018 is concerned, Mr. Lotlikar, the learned Senior Advocate for the Petitioner admits that the excise licence in respect of the suit premises stands suspended. He, therefore, states that from out of the suit premises there shall be no sale or trade of any item which requires excise licence. Hoarding/advertisement indicating the sale of excisable items

are directed to be removed forthwith.

7. The interim order granted by this Court shall operate during the pendency of the Appeal before the Block Development Officer and for a period of two weeks thereafter.

8. It is made clear that the Block Development Officer need not be influenced by any orders/interim order made by this Court and the matter will have to be decided on its own merits.

9. The Petition, and the Contempt Petition as well, are disposed of in the aforesaid terms. There shall be no order as to costs.

(Prithviraj K. Chavan, J.)

(M.S. Sonak, J.)