

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 428 OF 2018**

Global Conveyor Systems Pvt. Ltd.

A company registered under
the Company's Act, 1956
with its registered office at
Matruchaya, Plot No.2,
Ocean Residency,
Chicalim, Goa.

With its factory at D3/31,
Sancoale Industrial Estate
P.O. Zuarinagar Goa India

Through its authorized representative
Shri S. R. Prabhu,
Major of age,
resident of 178A-9,
Nadkarni Building.

.. Petitioner

Versus

1. State of Goa,
through the Chief Secretary
with office at Secretariat,
Porvorim Goa.
2. The Commissioner of Commercial Taxes,
with its office at Vikrikar Bhavan,
M.G. Road, Panaji Goa.
3. The Addl. Commissioner of Commercial Taxes,
with its office at Vikrikar Bhavan,
Panaji Goa.

4. The Commercial Tax Officer
Vasco Da Gama Ward
with its office at Karma Point,
4th Floor,
Vasco da Gama, Goa.

... Respondents

Mr. Sudesh Usgaonkar with Ms. Rosette Pereira, Advocates for the Petitioner.

Mr. D. Pangam, Advocate General with Mr. P. Faldessai, Addl. Government Advocate for the Respondents.

Coram:- M. S. SONAK &

NUTAN D. SARDESSAI, JJ.

Reserved on : 27th September, 2019

Pronounced on : 16th October, 2019

Judgment (Per M. S. Sonak, J)

Heard learned counsel for the parties.

2. Rule. With the consent and at the request of the learned counsel for the parties, Rule is made returnable forthwith.

3. After the amendment of the petition, Mr. Usgaonkar submits that only relief claimed by the Petitioner reads thus :

“It is therefore prayed that this Hon'ble Court be pleased to call for the records of the case and after examining the legality and propriety of the inaction of the Respondents and by a

Writ of Mandamus or any other appropriate writ, direction or order, direct the Respondents to pay to the Petitioner forthwith statutory interest of Rs. 6,87,337/- being interest at the rate of 8% per annum on Rs.9,56,965/- after a period of 90 days from the date of the Assessment Order dated 12/01/2009 i.e. from 13/04/2009 till 03/04/2018.”

4. Taking into consideration the pleadings in this petition and the annexures annexed thereto, we direct the Respondents to consider the Petitioner's petition as a representation and to dispose of the same within twelve weeks after taking into consideration our judgment and order dated 16th October, 2019 in Writ Petition No.424 of 2018. The concerned Authorities to offer an opportunity of hearing to the Petitioner before this representation is disposed of.

5. Rule is made absolute in the aforesaid terms. There shall be no order as to costs.

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

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

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