

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 201 OF 2019.

MARIANO LUIS ANSELMO
DE ARAUJO.,

... Petitioner.

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 3 ORS.,

...Respondents.

Mr. A. Kakodkar, Advocate for the petitioner.

Mr. P. Dangui, Government Advocate for respondents.

**WITH
CONTEMPT PETITION NO.3 OF 2019.**

Mr. C. Padgaonkar, Advocate for the Petitioner.

**WITH
MCA NO. 159 OF 2019.**

Ms. Amira Razaq, Government Advocate for the applicant.

Mr. C. Padgaonkar, Advocate for the respondent.

**WITH
MCA NO. 1012 OF 2018**

Ms. Amira Razaq, Government Advocate for the applicant.

Mr. C. Padgaonkar, Advocate for the respondent.

**WITH
WRIT PETITION NO. 969 OF 2017.
WITH
MCA NO.226 OF 2019.**

Mr. C. Padgaonkar, Advocate for the petitioner.

Ms. A. Razaq, Government Advocate for the respondent.

**Coram:- M. S. SONAK &
PRITHVIRAJ K. CHAVAN, JJ.
Date:- 26th February 2019.**

P.C.

After these matters were heard for sometime, we are of the opinion that the same can be disposed off by following order:-

- i. Petitioner in Writ Petition No.201/2019 Mariano Luis Anselmo de Araujo is directed to remain present in the office of Superintendent of Police North Goa, i.e respondent no.2 on 7.3.2019 at 10.30 am alongwith his witnesses. The respondent no.2 is then, directed to complete the proceedings before him as expeditiously as possible and in any case by 15.3.2019. Respondent no.2 to then forward the vigilance report to the Caste Scrutiny committee i.e respondent no.4 latest by 22.3.2019.
- ii. Caste Scrutiny Committee shall then afford an opportunity of hearing to the petitioner as also Mr. William Gonsalves, the original complainant and dispose of the proceedings before it as expeditiously as possible and in any case on or before 12.4.2019.

2. We make it clear that we have not examined the rival contentions on merits and this order has been made

only in order to ensure that there is compliance of principles of natural justice and so that either parties, do not raise challenges based upon any technicalities or by alleging any failure of natural justice.

3. The learned Counsel for the parties consent to the making of the aforesaid order.

4. We note that although there is delay in compliance with our earlier order, in the peculiar facts of the present case, we do not deem it appropriate to invoke our contempt jurisdiction on this occasion.

5. We are quite sure that the respondent no.2 i.e Superintendent of Police, district North as also Caste Scrutiny Committee will now adhere to the time line indicated and dispose of the matter within time line so indicated.

6. The petitioner Mariano Luis Anselmo de Araujo as well as original Complainant William Gonsalves to co-operate in the matter of disposal of the proceeding before Caste

Scrutiny Committee by not seeking any unnecessary adjournment. It is made clear that if any unnecessary adjournments are applied for, particularly by the petitioner Mariano Luis Anselmo de Araujo, then, the same need not be entertained.

7. Writ Petition No. 201 of 2019, Contempt Petition no.3 of 2019 as also MCA Nos. 159/2019 and 1012/18 seeking extension of time are disposed of in the aforesaid terms.

8. Similarly, MCA No.226/2019, by which Mr. William Gonsalves had applied for intervention in Writ Petition No.201/2019 is formally allowed and disposed of.

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

PRITHVIRAJ K. CHAVAN, J.

M. S. SONAK, J.