

IN THE HIGH COURT OF BOMBAY AT GOA

MISCELLANEOUS CIVIL APPLICATION NO.1083 of 2019

IN

WRIT PETITION NO.424 OF 2018

United Spirits Ltd.,
(Erstwhile McDowell and Co. Ltd.),
Rep. by its Officer,
Suraj Shenvi Pilgaonkar. Petitioner.

V/s.

1. State of Goa,
Through The Chief Secretary
and 4 Ors. Respondents

Mr. Sudesh Usgaonkar with Ms. Marie Pereira, Advocates for the petitioner.

Mr. D. Pangam, Advocate General with Mr. Deep Shirodkar, Additional Government Advocate for the respondents.

**Coram : M. S. SONAK &
SMT. M.S. JAWALKAR, JJ.**

Date : 14th January, 2020.

P.C.:

Heard the learned Counsel for the parties.

2. The expressions used in Paragraph 35 of the Judgment and Order dated 16/10/2019 are not clear. Accordingly, Paragraph 35 is substituted with the following Paragraph.

35. Even if the provisions in Section 33 (2) of the said Act are covered by the expression “subject to the other provisions of this Act.....” with which Section 33 (1) of the said Act begins, the expression cannot be stretched to suggest that the same will operate to extend the period of limitation prescribed in Section 33 (2) of the said Act, particularly when the provisions in Section 33 (2) of the said Act are quite clear and unambiguous.

3. The aforesaid correction to be carried out in the original Order as well as the Order uploaded on the Website.

4. The motion for speaking to minutes is disposed of in the aforesaid terms.

SMT. M.S. JAWALKAR, J. M. S. SONAK, J.

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