

Maria S.

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.337 OF 2022**

John Monteiro And Anr. **..Petitioners**

Versus

State of Goa thr. its Chief Secretary And 3 Ors. **...Respondents**

Mr. Jatin Ramaiya, Advocate *for the Petitioners.*

Mr. Neehal Vernekar, Additional Government Advocate *for Respondent No.1.*

Mr. Manish Salkar, Advocate *for Respondent No.2.*

Mr. Somnath Karpe and Mr. Abhishek Sawant, Advocates *for Respondent No.3.*

**CORAM: M. S. SONAK &
R. N. LADDHA, JJ.**

Date: 27th July 2022

P.C.

1. Heard Mr. Ramaiya, learned counsel for the petitioners, Mr. Vernekar, learned Additional Government Advocate for respondent No.1, Mr. Manish Salkar, learned counsel for the respondent no.2 and Mr. Karpe, learned counsel for the respondent no.3.

2. For the order which is proposed to be made, service of notice upon respondent No.4 may not be necessary.

3. The petitioner's main grievance is that the respondents No.2 and 3 have already issued a show cause notice to respondent No.4 but the same is not being disposed of.

4. Mr. Karpe, learned counsel for respondent No.3 states that the show cause notice will be disposed of within 12 weeks from today after granting an opportunity of hearing to the petitioner and respondent No.4. This statement is accepted. The respondent No.3 to act accordingly and after that, communicate the decision to the parties within the stipulated period of 12 weeks from today.

5. Mr. Salkar, learned counsel submits that respondent No.4 has applied for amalgamation of three shops and that the application is under consideration. He submits that until the same is decided, it would not be appropriate to dispose of the show cause notice issued. However, he states that the respondent No.2 will dispose of the application for amalgamation and the show cause notice simultaneously by granting opportunity of hearing to the petitioners and the respondent No.4. He states that this exercise will be completed within 15 weeks from today.

6. The above statement made on behalf of respondent No.2 is accepted and the respondent No.2 is directed to act accordingly. The respondent No.2 to communicate its decision to the parties within 15 weeks from today.

7. This Court has not gone into the rival contentions because, in our opinion, such contentions will have to be gone into, in the first place, by the above Authorities who have already issued a show cause notice in the matter. Therefore, all rival contentions are expressly kept open.

8. By recording the above statements and directing the respondents No.2 and 3 to act accordingly, we dispose of this petition.

9. No order for costs.

R. N. LADDHA, J

M. S. SONAK, J