

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 495 OF 2022

DECATHLON SPORTS INDIA
PVT. LTD., REP. BY ITS REAL
ESTATE LEGAL HEAD/AUT.
REP., RAHUL PHUKAN ...PETITIONER

Versus

VILLAGE PANCHAYAT OF
CALANGUTE, THR. ITS
SARPANCH/ SECRETARY AND
2 ORS. ...RESPONDENTS

Mr Parag Rao with Ms Sowmya Drago, Advocates for the
Petitioner.

Mr Pranay A. Kamat, Advocate for Respondent No. 1.

Mr Deep Shirodkar, Additional Government Advocate for
Respondent Nos. 2 and 3.

**CORAM: M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATED: 6th MARCH 2023

ORAL ORDER:

1. Heard Mr Rao for the petitioner, Mr Pranay Kamat for
respondent no. 1-Panchayat and Mr Shirodkar, the learned
Additional Government Advocate for respondent nos. 2 and 3.

2. Mr Pranay Kamat, on instructions, states that subject to
there being no other issues like illegal construction etc., the

petitioner's trade license will be renewed within a month from today.

3. Mr Kamat states that the matter would be placed before the Panchayat in its immediately next meeting. Insofar as the issue of payment of trade license fees, garbage tax etc. are concerned, Mr Kamat states that the Panchayat will grant an opportunity of hearing to the petitioner and decide on this issue. It is stated that the Panchayat will have to take into consideration notification no. 26/DP/PAN/Schedule-III/Rules/2021/766 dated 15th February 2022 issued by the State Government in exercise of powers conferred under Section 241 of the Goa Panchayat Raj Act, 1994. Mr Kamat states that such a decision would be taken by the Panchayat within six weeks from today.

4. Thus, after accepting Mr Kamat's statement on behalf of the Panchayat and directing the Panchayat to act accordingly, we dispose of this Petition. All contentions of all parties, particularly, on the aspect of fees and taxes are kept open. Further, we clarify that this fresh decision should be without being influenced by the resolution dated 14.02.2017 and public notice dated 23.03.2017. This means that all issues have to be considered afresh and will have to be decided in accord with the law.

5. The Petition is disposed of in the above terms without any order as to costs.
6. All concerned to act on an authenticated copy of this order.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.
