

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 279 OF 2022

AND

MISC. CIVIL APPLICATION NO. 1847 OF 2023 (Filing No.)

JAN UTKARSH SHIKSHAN
SAUNSTHA REP. BY
CHAIRMAN, SATYAWAN A.
NAIK AND 2 ORS.

..... Petitioners

Versus

THE STATE OF GOA THR.
THE CHIEF SECRETARY
AND ORS.

..... Respondents

Mr C. Padgaonkar and Ms V. Mahato, Advocates for the
Applicants/Petitioners.

Mr D. Pangam, Advocate General with Mr Shubham Priolkar, Additional
Government Advocate for Respondent Nos. 1 and 2.

Mr Nikhil Pai, Advocate for Respondent Nos. 3 to 6.

Ms N. Volvoikar, Advocate for Respondent No.7.

Mr Nikhil Vaze, Advocate for Respondent No.8.

**CORAM: M. S. SONAK &
 BHARAT P. DESHPANDE, JJ.**

DATED : 5th SEPTEMBER 2023

P.C.:

1. Heard Mr Padgaonkar, learned counsel for the Petitioners. Mr D. Pangam, learned Advocate General appears along with Mr S. Priolkar, learned Additional Government Advocate for Respondent Nos. 1 and 2. Mr Nikhil Pai appears for Respondent Nos. 3 to 6. Ms N. Volvoikar appears for Respondent No.7 and Mr Nikhil Vaze appears for Respondent No.8.

2. The substantive relief in this petition at para 12(a) reads as follows:

(a) That this Hon'ble Court be pleased to grant a writ of mandamus, or any other writ in the nature of mandamus or any other writ, order and direction directing the Respondent No.2 to take an appropriate decision on the basis of the representations made by the Petitioners annexed at ANNEXURE –C (colly) of the present Writ Petition dated 31/03/2022 and 21/04/2022 in a time bound manner.

3. The learned Advocate General points out that at Annexure –C there were six representations made by the Petitioners out of which two have already been disposed of. He states that the remaining four representations will be disposed of within two months from today and the decision will be communicated to the Petitioners.

4. By accepting the above statement and directing the concerned Respondents to act accordingly, this petition is disposed of.

5. The application for amendment seeks to challenge the decisions on the two disposed of representations. According to us, it would be appropriate if the Petitioners awaits the disposal of the remaining four representations and after that files appropriate proceedings to question the decisions, if indeed the Petitioners are aggrieved and affected by the same.

6. As noted above, this petition was mainly to direct the Respondents to dispose of the Petitioners' representations. This relief is now being granted. If the Petitioners are aggrieved by the decisions, it is only appropriate that the Petitioners file a fresh proceeding by raising permissible grounds to question the same. There is no point in changing the entire nature of this petition.

7. Therefore, by issuing directions to the concerned Respondents to dispose of the Petitioners' representations within two months from today, we dispose of this petition. If the Petitioners are aggrieved by any of the decisions, the Petitioners will have the liberty to challenge the same in accord with law.

8. This petition and the Misc. Civil Application No. 1847 of 2023 (F) are disposed of in the above terms without any order for costs.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

TARI AMRUT NAGESH Digitally signed by TARI AMRUT NAGESH
Date: 2023.09.06 17:20:55 +05'30'