

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO.16 OF 2021

SEBASTIAN VALES

... PETITIONER

Versus

THE STATE OF GOA, THR.
THE CHIEF SECRETARY
AND 4 ORS.

... RESPONDENTS

Mr. Shivam Fadte, Advocate for the Petitioner.
Mr. D. Pangam, Advocate General with Mr. Deep Shirodkar,
Additional Government Advocate for Respondent Nos.1 to 3.

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

DATE : 11th JANUARY 2023

ORAL ORDER : (Per M.S. Sonak, J.)

1. Heard Mr. Shivam Fadte for the petitioner. Mr. D. Pangam, the learned Advocate General appears along with Mr. Deep Shirodkar for respondent nos.1 to 3.

2. The learned Advocate General states that offer of appointment has already been given to the selectee for the post of President of the Goa State Consumer Disputes Redressal Commission. The learned Advocate General states that in all probabilities the post will be filled by the end of January 2023.

3. In so far as the issue of administrative control is concerned, the State Government's order dated 16.03.2019 (page 112 of the paperbook) provides that in the absence of the President of Goa State Consumer Disputes Redressal Commission, all administrative matters pertaining to the State Commission and District Forum will be entirely dealt with by the Assistant Director, Department of Civil Supplies and Consumers Affairs, Panaji-Goa. The learned Advocate General submits that once the President is appointed, such powers will automatically revert to the President from the very wordings of this order. In our judgment, this is the correct reading of the order.

4. In so far as the District Forums/Commissions are concerned, the matter is governed by Office Memorandum dated 23.03.2021. This Office Memorandum provides that the Reviewing Officer shall be the Assistant Director of Civil Supplies and the counter signatory shall be the Director of Civil Supplies. Now that the Presidents have been appointed to the Forums/Commissions, the learned Advocate General states that the Reviewing Officer would be the respective President of the District Forums and the Commissions and the counter signatory authority would be the President of the Goa State Disputes Redressal Commission. The learned Advocate General states that necessary orders to this effect will be issued within two weeks from today. In our judgment, with the aforesaid statements and clarifications, the reliefs applied for in this petition stand substantially worked out. The concerned authorities are directed to act consistent

with such statements and clarifications and do the needful within the timeline indicated above.

5. The petition is accordingly disposed of without any order for costs.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

NITI K
HALDANKAR

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