

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 617 OF 2022**

PACIFICA HOTELS INDIA PVT.
LTD REP BY DIRECTOR ABHINAV Petitioners.
KAPOOR AND ANR

Versus

STATE OF GOA THR. SECRETARY
AND ANR Respondents

**Mr J.E. Coelho Pereira, Senior Advocate with Mr Pancham
Phadte, Advocate *for the Petitioner.***

**Mr D.J. Pangam, Advocate General with Mr Geetesh
Shetye, Addl. Govt. Advocate *for the Respondents.***

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

DATE : 23rd January 2023

P.C.:-

1. Heard Mr Pereira, learned Senior Advocate who appears along with Mr Pancham Phadte for the Petitioner. Learned Advocate General appears along with Mr Geetesh Shetye, learned Addl. Govt. Advocate for the Respondents.
2. The challenge in this Petition is to the communication/ order dated 7/6/2022 by which the Petitioners' application for

refund of application fees was rejected.

3. The learned Advocate General points out that against the above communication/order, the Petitioners have a remedy of an appeal in terms of the notification dated 9/11/1995, issued under Section 13A of the Goa Public Gambling Act, 1976.

4. The learned Advocate General states that if such an appeal is filed within 15 days from today, then, the same would be decided by the Authority, on its own merits without going into the issue of limitation.

5. Mr Pereira, learned Senior Advocate for the Petitioners states that such an appeal would be filed within 15 days from today, raising all permissible grounds.

6. Accordingly, we accept the above statement and dispose of the Petition. If the Petitioners file an appeal within 15 days from today, then the Authority, consistent with the statement of the learned Advocate General must dispose of this appeal on its own merits, in accord with law, as expeditiously as possible and, in any case, within three months from the service on the Respondents.

7. All contentions of all parties are expressly kept open. There shall be no order for costs.

8. All concerned to act on an authenticated copy of this order.

BHARAT P. DESHPANDE, J.

M.S. SONAK, J.

SANTOSH | Digitally signed by
SANTOSH S MHAMAL
S MHAMAL | Date: 2023.01.24
17:25:26 +05'30'