

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.131 OF 2024

JET SET HOTELS PVT. LTD THR.
AUTHORIZED SIG. JAGDISH Y.
CHOWGULE

... PETITIONER

Versus

THE STATE OF GOA THR. CHIEF
SECRETARY OF GOA AND 3 ORS

... RESPONDENTS

Mr. Dhaval Zaveri with Mr. Sujay Kamulkar and Mr. Nehal Govekar, Advocates for the Petitioner.

Ms Sapna Mordekar, Addl. Govt. Advocate for Respondents no.1 to 3.

Mr. Siddhant Dhakankar, Advocate for Respondent No. 4.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 24th April, 2024

P.C.

1. Heard Mr. Dhaval Zaveri learned counsel for the Petitioner. The authorised representative of the Petitioner by name Mr. Jagdish Chowgule is present.

2. As per the order passed by this Court on 31.01.2024, the Petitioner was permitted to raise all such issues before the Commissioner of Excise and was directed to decide the show cause notice.

3. Mr. Zaveri would submit that the Petitioner by filing a reply to the show cause notice raised all issues including jurisdiction.

4. The concerned authority vide its Judgment dated 03.04.2024, passed an order thereby canceling the excise license for violation of Rule 90(4)(f) of Goa Daman & Diu Excise Duty and Rules 1964.

5. Mr. Zaveri, on instructions of the Representative of the Petitioner submits that the Petitioner instead of challenging such order and continuing with the present petition, would like to apply afresh by obtaining permission from the Government Department and in compliance with Rule 90(4)(f) of the Goa Daman & Diu Excise Duty and Rules, thereunder.

6. Accordingly, he submits that the present petition be disposed of.

7. The Petitioner is entitled to apply afresh by showing compliance to Rule 90.

8. Accordingly, the petition stands disposed of in the above terms.

9. If such an application is filed for fresh license, the same shall be decided by the concerned authority on its own merits and in accordance with law.

BHARAT P. DESHPANDE, J.