

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO.171 OF 2024
WITH
CIVIL APPLICATION NO.19 OF 2024**

WRIT PETITION NO.171 OF 2024

JAINCO BUILDCON (P) LTD., THR ITS
AUTH. REP. VISHWANATH BHATELE ... PETITIONER

Versus

THE STATE OF GOA THR. ITS CHIEF
SECRETARY AND 2 ORS ... RESPONDENT

**WITH
CIVIL APPLICATION NO.19 OF 2024
IN**

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JAINCO BUILDCON (P) LTD., THR ITS
AUTH. REP. VISHWANATH BHATELE ... APPLICANT

Versus

THE STATE OF GOA THR. ITS CHIEF
SECRETARY AND 2 ORS ... RESPONDENT

Mr. Chetan Sharma, Advocate with Mr. Ravi Dutt Sharma and Mr.
Prasad Desai, Advocates for the Petitioner.

Mr/ D. Pangam, Advocate General with Mr. Deep Shirodkar,
Additional Government Advocate for the Respondent-State.

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

DATED :- 13th February, 2024

P.C.

Heard Mr. Chetan Sharma, learned Counsel for the Petitioner and
Mr. D. Pangam, learned Advocate General for the Respondent-State.

2. The challenge in this Petition is to the communication dated

01.02.2024, by which the Contractors licence issued to the Petitioner was ordered to be kept under suspension with immediate effect.

3. Mr. Chetan Sharma submits that in terms of Clause 7 of the Rules of Enlistment of Contractors in PWD/WRD, 2020, (Said Rules), the impugned communication suspending the Petitioner's licence should have been preceded by the issue of the show cause notice. He states that, admittedly, no such show cause notice was issued.

4. Learned Advocate General states that the impugned communication dated 01.02.2024 stands withdrawn. He states that the Respondents will now issue a show cause notice to the Petitioner through email, latest by tomorrow i.e. 14.02.2024.

5. Mr. Sharma, on instructions, states that the Petitioner will file a response to this show cause notice, again by email, latest by 19.02.2024. Mr. Sharma states that along with the reply, a synopsis of written arguments backed by case law, if any, will also be filed latest by 19.02.2024. On instructions, he states that no oral hearing will be insisted upon.

6. Learned Advocate General states that a decision will be taken on the show cause notice by 21.02.2024 and the same will be communicated to the Petitioner by email.

7. Mr. Sharma states that the Petitioner's email id is set out in the cause title to this Petition and the show cause notice can be addressed at the said email id.

8. Since the impugned communication dated 01.02.2024 stands withdrawn, we dispose of this Petition by keeping open all contentions of all parties.

9. The Petition is disposed of in the above terms with no order as to costs.

10. Civil Application no. 19 of 2024 does not survive and is disposed of.

11. All concerned to act based on an authenticated copy of this Order.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.

ANDREZA PEREIRA  Digitally signed by ANDREZA PEREIRA
Date: 2024.02.13 13:30:56 +05'30'