



Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.641 OF 2024

SAIRAJ SHIRODKAR

... PETITIONER

Versus

**STATE OF GOA, THR. CHIEF
SECRETARY AND 2 ORS**

... RESPONDENTS

Mr Rupesh Chodankar, with Ms Nidhi Gawas, Advocates for the
Petitioner.

Ms Akshata Bhat, Addl. Govt. Advocate for Respondent No.1.

Mr S.G. Bhobe, Public Prosecutor for Respondents No.2 and 3.

**CORAM:- THE CHIEF JUSTICE &
M. S. KARNIK, J**

DATED :- 26th September, 2024

P.C.:

1. Heard Mr Chodankar, learned Counsel for the Petitioner, Ms Akshata Bhat, learned Addl. Govt. Advocate for Respondent No.1 and Mr S.G. Bhobe, learned Public Prosecutor for Respondents No.2 and 3.

2. This Petition invokes our jurisdiction under Article 226 of the Constitution of India being aggrieved by an order dated 28/08/2024 passed by the Assistant Director of Transport, North, Mapusa, Goa whereby the application made by the Petitioner for grant of PVS Badge has been rejected on the ground of pendency of criminal case

against him.

3. Learned Public Prosecutor has drawn our attention to Rule 8 of The Goa Motor Vehicles Rules, 1991 which provides for an appeal against orders passed under sub-Section (1) of Section 17 of The Motor Vehicles Act, 1988.

4. On account of the availability of the aforesaid statutory appeal, we are not inclined to entertain this Writ Petition which, however, is disposed of with liberty to the Petitioner to approach the Appellate Authority. If any such appeal is filed, the same shall be disposed of on merits without insisting on the limitation as prescribed under Rule 8(2) of the aforesaid Rules. If such an appeal is preferred by the Petitioner, the same shall be disposed of by passing a reasoned order by the Appellate Authority within 30 days from the date such an appeal is filed before the Authority.

5. Writ Petition stands disposed of.

M. S. KARNIK, J.

THE CHIEF JUSTICE