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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.682 OF 2016

UMESH V. GAONKAR AND
3 ORS.

... Petitioner.

Versus

STATE OF GOA, THR. CHIEF
SECRETARY AND 15 ORS.

... Respondents.

Ms. N. Alvares, Senior Advocate with Ms. M. Simoes,
Advocate for the Petitioner.

Ms. Maria Correia, Additional Government Advocate for
Respondent No.1, 3 to 10.

Mr. Sachin Raul, Advocate for Respondent No.13.

**CORAM: VALMIKI MENEZES &
SHREERAM V. SHIRSAT, JJ.**

DATED: 12th September, 2025

P.C:

1. The primary challenge in this petition is to the vires of the Goa Investment Promotion Act, 2014 (Goa Act 13 of 2014) including Sections 7 and 23 of the Act. Prayer clause (a) of the petition seeks a declaration on that basis that the said Act is unconstitutional and ultra vires Articles 14, 21 to 39 (b) (c) of the Constitution of India. The other relief claimed in prayer clauses (b) and (d) of the petition is a declaration that the decisions dated 16.01.2015 and 06.10.2015 and

the permissions dated 26.11.2013 and 06.12.2013 granted by Respondent Nos.2 and 8 to Respondent No.13 are illegal, null and void and ought to be cancelled.

2. It has been submitted that by a subsequent enactment known as the Goa Investment Promotion Facilitation of Single Window Clearance Act, 2021 (Goa Act 19 of 2021), the Goa Investment Promotion Act 2014 has been repealed by virtue of Section 61 of the Act of 2021.

3. The learned Additional Government Advocate appearing for Respondent Nos.1, 3 to 10 has also placed on record a communication dated 16.12.2024 addressed to the Respondent No.13, wherein the decision taken in the 37th meeting of the Respondent No.2 dated 09.10.2024 to revoke the in-principle approval granted to Respondent No.13 for setting up of greenfield base alcohol plant and brewery plant with malt and IMFL bottling plant in land under Survey Nos. 81/2-A and 81/2-B of Village Amadia, Sanguem, Goa, was conveyed to Respondent No.13.

4. Learned Senior Advocate for the Petitioner submits that in view of the repeal of the Goa Investment Promotion Act 2014 by virtue of Section 61 of the Act of 2021 and in view of the revocation of the in-principle approval granted to the Respondent No.3, the Writ Petition is rendered infructuous, as none of the reliefs claimed therein would survive. Learned Senior Advocate seeks to withdraw the Writ Petition

as it is rendered infructuous.

5. Consequently, and in view of what is stated above, the Writ Petition is dismissed as withdrawn.

SHREERAM V. SHIRSAT, J.

VALMIKI MENEZES, J.