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IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.432 OF 2025

SEEMA DILIP NAIK

... PETITIONER

Versus

**THE MAPUSA MUNICIPAL COUNCIL THR.
ITS CHIEF OFFICER AND 6 ORS**

... RESPONDENTS

Mr. Varun Bhandanker, Advocate for the Petitioner.

CORAM:- VALMIKI MENEZES, J.

DATED :- 19th November, 2025

P.C.:

1. Registry to waive office objections and register the matter.
2. The challenge in this petition is to an order dated 21.07.2025 passed by the Administrative Tribunal of Goa in Municipal Appeal No.2/2024/ADM.
3. The original proceedings commenced on a complaint dated 11.01.2024 filed by the Petitioner before the Chief Officer of the Mapusa Municipal Council. In the complaint, the Petitioner alleges that the Respondent No.2 was carrying out a business in two shops in the Mapusa Municipal Market without any trade licence. On the complaint, the Chief Officer issued notice to the Respondent No.2 for giving him a personal hearing. However, there was no show-cause

notice issued to the Respondent No.2, nor was there any inquiry conducted on the specific allegations in the complaint. Ultimately, the Chief Officer has passed an order dated 01.03.2024 revoking the trade licence of Shop Nos. 95 and 98 under which the Respondents were conducting the business. The order was upheld by the Director of Municipal Administration and on hearing the parties, the impugned order passed by the Chief Officer has now been set aside by the Tribunal.

4. The main grounds to challenge the impugned order before the Tribunal were that no show-cause notice was ever issued to the Respondents, and yet the findings given by the Chief Officer in the impugned order were that the shop premises were being run on the basis of the trade licences renewed in the name of the father of some of the partners of the business. None of the allegations that are held to have been substantiated in paragraphs 19 and 20 of the impugned order passed by the Chief Officer, are contained in any notice to the Respondents calling for their say on the same. On this ground, on going through the entire record, the Administrative Tribunal has held that the impugned order was passed contrary to the principles of natural justice, and has consequently quashed the same.

5. Since the concerned licences had expired in the meantime, the Administrative Tribunal has left it to the Chief Officer to grant renewal of the same in accordance with law.

6. The Administrative Tribunal has passed its order on the basis of the facts before the Chief Officer, and the order cannot be termed as perverse or contrary to any provision of law. The principles of natural justice had been clearly violated before passing the impugned order by the Chief Officer, since no notice making specific allegations on the basis of which the order was ultimately passed, was issued to the Respondent. The finding of the Tribunal is, therefore, proper and in accordance with the requirements of law. Even the directions issued to the Chief Officer leaving it to his discretion, based upon the material before him to decide the question of renewal, is in line with the provisions of the Goa Municipalities Act. The order, therefore, does not call for any interference in the supervisory jurisdiction of this Court under Article 227 of the Constitution of India.

7. The petition is, therefore, rejected.

VALMIKI MENEZES, J.