

Amrut



IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.2795 OF 2024 (Filing No.)
IN
WRIT PETITION NO. 451 OF 2024

SHYAMSUNDAR CHANDRAKANT NAIK ... Applicant

Versus

STATE OF GOA,
THR. CHIEF SECRETARY AND 5 ORS. ... Respondents

Mr Arjun F. Naik, Advocate for the petitioner.

Ms Akshata Bhat, Additional Government Advocate for respondent
Nos.1 and 2.

Mr Parag Wagle, Advocate for respondent Nos.3 to 6.

**CORAM: M. S. KARNIK &
 NIVEDITA P. MEHTA, JJ**

DATED : 18th NOVEMBER 2024

P.C.:

1. Heard learned counsel for the applicant.
2. It is the grievance of the learned counsel for the applicant that the order dated 30.10.2024 at page 22 of the application is not in the letter and spirit of the order dated 19.09.2024 passed by this Court in Misc. Civil Application No.2275 of 2024 (F). In Para 4 of the order, this Court recorded that in so far as the complaints dated 05.06.2023, 02.01.2024 and 11.01.2024 which are the subject matter of the present petition is concerned, the inquiry

should be completed within a period of six weeks from the date of the order dated 19.09.2024. It is further the grievance of the learned counsel for the applicant is that all the complaints viz. 05.06.2023, 02.01.2024 and 11.01.2024 should be decided together with the complaint which is the subject matter of the order dated 30.10.2024.

3. We are afraid to observe that the submissions made by the learned counsel for the applicant cannot be countenanced in view of the order dated 19.09.2024. It is not that all the complaints should be decided together but the purpose was that the complaints have to be taken to its logical conclusion. It is always open for the applicant to challenge the order dated 30.10.2024 which is at page 22 of the application before the appropriate forum on the grounds which are urged by the learned counsel for the applicant. We make it clear that we have not observed anything so far as the merits of the order dated 30.10.2024 is concerned and all contentions urged before us are expressly kept open if any challenge is made to the order dated 30.10.2024.

4. Our attention is then invited by the learned counsel for the applicant to the roznama dated 08.11.2024 which records that complaints dated 05.06.2023, 02.01.2024 and 11.01.2024 (except misappropriation of funds which is already decided on

30.10.2024) shall be decided after hearing all concerned. We direct the Mamlatdar of Pernem Taluka to decide the complaints dated 05.06.2023, 02.01.2024 and 11.01.2024 mentioned in the roznama dated 08.11.2024 at page 33 of the application as expeditiously as possible and in any case within a period of six weeks from today. The said complaints shall be decided without being influenced by the order dated 30.10.2024. The application is disposed of. Consequently, the Writ Petition No.451 of 2024 stands disposed of.

5. List the Writ Petition No.451 of 2024 for compliance and Contempt Petition No.2228 of 2024 (F) after six weeks.

NIVEDITA P. MEHTA, J

M. S. KARNIK, J