

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-69-2020**

The Indian Hotels Company Ltd. & Anr. ... Petitioners
Versus
State of Goa & Ors. ... Respondents

Mr. Rafiq Dada, Senior Advocate with Mr. I. Agha and Mr. K. Morajkar,
Advocates for the Petitioners.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional
Government Advocate for Respondent Nos.1 and 2.

**Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.**

Date:- 30th June, 2020

P.C.

Heard Mr. R. Dada, learned Senior Advocate alongwith
Mr. I. Agha for the Petitioners and Mr. D. Pangam, learned Advocate
General for Respondent Nos.1 and 2.

2. The Director of Tourism vide notice dated 2nd June, 2020
has fixed the hearing in relation to show cause notice dated 6th February,
2013 on 10th June, 2020 at 3.30 p.m. The hearing was now further
adjourned to 1st July, 2020.

3. Mr. Dada, learned Senior Advocate for the Petitioners submits that on account of COVID-19 situation as also the circumstance that certain applications are pending before the Respondent No.3, the hearing before the Director of Tourism is required to be deferred until the pandemic normalizes or such other period as this Court deems fit in the facts and circumstances of the case. There is an alternate relief prayed for in the petition seeking postponement of the hearing before the Director of Tourism for a period of 45 days from the date of the decision on the application filed by the Petitioners for development permission and construction licence which is stated to be pending before the Respondent No.3.

4. On perusal of the prayer clauses, it is clear that the main grievance of the Petitioners relates to deferment of the proceedings before the Director of Tourism *inter alia* on the ground of prevailing pandemic situation. The learned Advocate General makes a statement that further hearing before the Director of Tourism will be scheduled in the week commencing from 17th August, 2020. He further states that the arrangement will be made to enable the Petitioners to appear through Video Conferencing, should they require such facility.

5. Now that the matter is being deferred to the week commencing from 17th August, 2020, the Petitioners, will have sufficient time to even file any additional response/clarification if they choose to.

Such liberty, is also granted to the Petitioners. The statement made by the learned Advocate General, according to us redresses substantially the immediate grievance raised in this petition.

6. In this petition, we are not required to go into any other issues, particularly on merits and therefore we clarify that we have not gone into the rival contentions between the parties. Ultimately, these are the matters which are required to be decided by the concerned authorities on their own merits and in accordance with law.

7. With the aforesaid clarification and by accepting the statement of the learned Advocate General that the hearing will now take place only in the week commencing from 17th August, 2020, we dispose of this petition. The learned Advocate General states that the intimation regards the precise date will be furnished to the Petitioners.

8. All concerned to act on the basis of the authenticated copy of this order.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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