

WRIT PETITION NO. 19 OF 2003

Armino Braganza,
aged 51 years, r/o
Ansa Bhat, Mapusa, Goa.

... Petitioner

Versus

1. Mapusa Municipal Council,
through its Chief Officer,
Mapusa, Goa,

2. Shri Michael Carrasco,
Chairperson of Mapusa Municipal
Council, Mapusa, Goa.

... Respondents.

Shri M. J. Rane, advocate for the petitioner.

Shri S. D. Padiyar, advocate for the respondents.

CORAM : F.I. REBELLO &
P. V. HARDAS, JJ.

DATE : 30th June, 2003.

ORAL JUDGMENT (Per Rebello, J.)

Rule. Respondents waive service. Heard forthwith.

2. On behalf of the respondents it is pointed out that the panchanama would disclose that the petitioner herein had gone beyond the area which was earmarked for him in terms of the municipal licence and in these circumstances the entire "banca fixa" was removed. Considering the facts and circumstances and as there is material to show that the petitioner had in his favour a receipt (Exh. 'A') for the said "banca fixa" the respondents have no objection to the petitioner reinstalling the same in the same place where it earlier was and having the same area as shown in the receipt.

3. The statement on behalf of the Municipal Council

is accepted.

4. Rule made absolute accordingly. Writ Petition
stands disposed of.

F. I. REBELLO, J.

P. V. HARDAS, J.

mc.