

**IN THE HIGH COURT OF BOMBAY AT GOA**

WRIT PETITION NO. 513 OF 2015

M/S.COMPETENT AUTOMOBILES COMPANY  
LTD.,THROUGH ITS AUTHORIZED  
SIGNATORY MS. SAPNA SINHA.

... Petitioner

Versus

VILLAGE PANCHAYAT OF CANSAULIM  
AROSSIM-CUELIM, THROUGH  
SECRETARY., & 2 ORS.

... Respondent

Mr. S. S. Kantak, Senior Advocate with Mr. Amay Arjun Phadte, and  
Mr. A. P. Gosavi, Advocates for the petitioners.

Coram:- F. M. REIS &  
K. L. WADANE, JJ.

Date:- 13th July, 2015

P.C.:

Heard Mr. S. S. Kantak, learned Senior Counsel appearing  
for the petitioners.

2. The above petition, inter alia, seeks to challenge an ex parte order dated 1st July, 2015 passed by the learned District Judge, South Goa, Margao in Civil Revision Application No.23/2015 filed by the respondent in terms of Section 201-B of the Goa Panchayat Raj Act. It is the contention of the learned Senior Counsel that the revision petition itself is not maintainable as, according to him, the order passed in the appeal under Section 66(7) of the Act to the Director of Panchayats, is final. The learned Senior Counsel also raised a grievance that the ex parte order has been passed without giving any

reason and that the date fixed by the learned Judge is on 4th August, 2015, which is not at all justifiable, in the facts and circumstances of the case.

3. Considering that the order under challenge before this Court is only an ad interim order and a notice has been issued by the learned District Judge to the petitioner, we find that at this stage, there is no reason to interfere in such orders by this Court under Articles 226 and 227 of the Constitution. The petitioners are entitled to raise all their objections, including the contention that the revision itself is not maintainable, before the learned District Judge. The learned District Judge shall examine all such contentions, after hearing the parties, in accordance with law.

4. With regard to the contention of Mr. Kantak, learned Senior Counsel about the date fixed on 4th August, 2015, we grant liberty to the petitioners to move the learned District Judge to prepone the date by filing an appropriate application to that effect. It is made clear that all the contentions of the parties shall be examined on its own merits by the learned Judge.

5. Subject to the above, the writ petition stands dismissed, with liberty to the petitioners to file an appropriate application to prepone the date fixed on 4th August, 2015 and seek appropriate reliefs. The learned District Judge shall examine such an application

as expeditiously as possible, within a period of one month from the date of receipt of copy of this order.

6. Parties to act on duly authenticated copy of this order.

K. L. WADANE, J.

F. M. REIS, J.

ssm.