

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 486 OF 2015

IN

WRIT PETITION NO. 546 OF 2015

MR. BABANI SALGAONKAR AND ANR., ... Applicants
Versus
SUDIT NAIK AND ANR., ... Respondents

Mr. A. D. Bhobe, Advocate for the applicants.
Mr. Vishnuprasad A. Lawande, Advocate for the respondent
no.1/petitioner.
Mr. V. Rodrigues, Addl. Government Advocate for the State.

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

Date:- 29th July, 2015

P.C.

Heard Mr. A. D. Bhobe, learned counsel appearing for the applicants, Mr. V. A. Lawande, learned counsel appearing for the respondent no.1/petitioner and Mr. V. Rodrigues, learned Addl. Government Advocate appearing for the State.

2. Reply to the application for intervention filed by the petitioner is taken on record.

3. The above application filed by the applicants for intervention on the premise that the disputed structure may be used by the respondent no.1/petitioner for liquor business.

4. Mr. Lawande, learned counsel appearing for the respondent no.1/petitioner points out that the petition is only to examine whether the petitioner has converted the garage into commercial

establishment based on the Town and Country Planning Act and the concerned Regulations. The learned counsel further pointed out that in the present petition the manner in which the petitioner used such premises is not at all for consideration.

5. Mr. Bhobe, learned counsel appearing for the applicants pointed out that there are allegations made against the applicants in the above petition. As the applicants are not made parties to the petition, any such allegations shall not be examined by this Court while entertaining the above petition.

6. Considering the facts and circumstances of the case and in view of the statement of Mr. Lawande that the aspect as to whether the premises cannot be used for liquor business is not the subject matter of the above petition, the question of allowing the intervention of the applicants would not arise.

7. In view of the above, the application stands rejected.

8. Needless to say that the remedy of the applicants, if any, is left open.

K. L. WADANE, J.

F. M. REIS, J.

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