

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 5 OF 2015

MRS. MARIA QUITERIA SEBASTIANA
FALEIRO E COSTA AND 2 ORS.,

... Petitioners

Versus

STATE OF GOA THROUGH ITS CHIEF
SECRETARY AND 4 ORS.

... Respondent

Shri Pundalik N. Raiker, Advocate for the petitioners.

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

Date:- 12th January, 2015

P.C.:

Heard Shri P. Raikar, learned Counsel appearing for the petitioners. The above writ petition, inter alia, seeks to challenge the entries in the survey records which were ordered to be corrected in the year 1983.

2. During the course of hearing of the above petition, it was not in dispute that a civil suit is pending in respect of the same property wherein the petitioners herein have claimed a right to the property in dispute. It is the contention of the learned Counsel appearing for the petitioners that the orders passed by the Revenue Authorities would come in the way of his claim in the suit.

3. It is well settled that orders passed by the Revenue

Authorities do not create or defeat the title in such property. The title of the property will have to be examined by a Civil Court on its own merits, in accordance with law.

4. In such circumstances, question of entertaining the above writ petition, at this stage, does not arise. The petition stands, accordingly, rejected. All contentions of the petitioners, on merits, are left open.

K. L. WADANE, J.

F. M. REIS, J.

ssm.