

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION (REVIEW) NO. 10 OF 2015
IN
APPLICATION IN ELECTION PETITION NO. 3 OF 2015
AND
CIVIL APPLICATION (REVIEW) NO. 11 OF 2015
IN
APPLICATION IN ELECTION PETITION NO. 4 OF 2015

CAETANO ROSARIO SILVA. ... Applicant
 Versus
 VALANKA ALEMAO. ... Respondent

Shri Valmiki Menezes and Ms. Vidhati Shetye, Advocates for the applicant in both the applications.

Shri S. S. Kantak, Senior Advocate with Shri P. Talaulikar, Advocate for the respondent in both the applications.

Coram:- C. V. BHADANG, J.

Date:- 3rd September, 2015

P.C.

These are applications for review of the order dated 14/08/2015 in Application Nos. 3 and 4 of 2015.

2. At the outset, it needs to be mentioned that the applicant is not seeking review/ modification of the orders, by which the amendment was disallowed. The only submission is that the applicant wants to produce the passport, which is issued in continuation of the earlier passport, which is already on record, in order to show that the applicant is holding a valid Indian Passport as on date.

3. It is submitted by Shri Menezes, the learned Counsel for the applicant that the petitioner in her affidavit-in-evidence has stated

that the applicant is holding a Portuguese Passport. If that be so, the burden to show that the applicant is holding a Portuguese Passport would lie on the petitioner. In so far as the claim for production of the continuation of passport is concerned, it needs to be mentioned that already there is passport of the applicant on record, which is valid till 06/01/2018.

3. Shri Kantak, the learned Senior Counsel appearing for the petitioner states that without prejudice to his contention that the applications do not make out a case for review, appropriate orders may be passed as may be deemed fit. It is submitted that the production neither takes the case of the applicant any further nor it causes any prejudice to the petitioner.

4. On hearing the learned Counsel for the parties and on perusal of the record, it appears that the passport of the applicant, which is valid till 06/01/2018 is already on record. However, on account of the entries in the passport, a new document is issued, which is now sought to be produced. Considering this, the applications are allowed. The production of the passport is allowed and to that extent the order dated 14/08/2015 would stand modified.

5. The applications are disposed of, in the aforesaid terms.

C. V. BHADANG, J.

SMA