

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 730 OF 2015

SHRI. KASIM SAYED ALI MAKANDER., ... Petitioner
Versus
THE STATE OF GOA, THROUGH ITS
CHIEF SECRETARY AND 4 ORS., ... Respondents

Mr. Sardesai, Senior Advocate with Mr. Kaif Noorani, Advocate
for the petitioner.
Mr. V. Rodrigues, Additional Government Advocate for the
respondents.

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

Date:- 23rd September, 2015

P.C.

Heard Mr. Nitin Sardesai, the learned Senior Advocate appearing
for the petitioner and Mr. V. Rodrigues, learned Additional
Government Advocate appearing for the respondents.

2. Upon hearing the learned counsel appearing for the respective
parties, we find that the foundation of the petition is that the basis of
the 'Thomas Committee Report' has already been accepted by the
State Government and actions are being taken on the basis thereof.
But however, the learned Additional Government Advocate
appearing for the respondents, upon instructions from the respondent
no.3, pointed out that the "Thomas Committee Report" is only an
interim report, and it has not yet been accepted by the Government
and the process has not yet been complete as even the report

produced on record is not a final report but only an interim report and process of surveying the land based on the plan prepared by the Thomas Committee in respect of the subject property is still in progress.

3. Considering the said statement of the learned Additional Government Advocate, we find that the foundation on which the petition has been filed, does not survive. The petition appears to be premature. The finalisation or acceptance of the report shall have to be carried out in accordance with law.

4. In view of the above, the petition does not survive and is disposed of accordingly.

5. All the contentions of the parties are left open.

K. L. WADANE, J.

F. M. REIS, J.

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