

**IN THE HIGH COURT OF BOMBAY AT GOA****WRIT PETITION NO. 850/2015.**

Ocean View Properties LLP,  
B-5, AmrutKumbh Apartment,  
Laxmi Park Colony,  
Sadashiv Peth, Pune 411 030  
through its Authorized Signatory,  
Mr. Ranjit Dessai, s/o. Late Prabhakar  
Dessai, major in age,  
R/o. Flat NO.G-1, Ground Floor,  
Desai Residency,  
Ambegal, Ponda, Goa.

..... Petitioner.

V/s.

1. State Registrar,  
State of Goa, Shramshakti Bhavan,  
Patto, Panaji, Goa.

2. Sub-Registrar of Tiswadi,  
Junta House, Panaji, Goa.

3. Tax Recovery Officer, Range-1,  
Aayakar Bhavan, No.5,  
EDC Complex,  
Patto, Panaji, Goa.

4. State of Goa,  
through Chief Secretary,  
Secretariat, Porvorim, Goa.

..... Respondents.

Mr. Sahish Mahambrey, Advocate for the petitioner.

Mr. V. Sardesai, Additional Govt. Advocate for the respondents No.  
1,2 & 4.

Ms. A. Desai, Advocate for the respondent No.3.

**CORAM :- F.M. REIS &  
C.V. BHADANG, JJ.**

**Date :- 17 DECEMBER 2015.**

**ORAL JUDGMENT : (PER F.M. REIS, J.)**

Heard Mr. S. Mahambrey, learned Counsel appearing for the petitioner, Mr. V. Sardesai, learned Additional Govt. Advocate for the respondents No.1, 2 and 4 and Ms. A. Desai, learned Advocate appearing for the respondent No.3.

2. Rule. Heard forthwith, with the consent of the learned Counsel. Learned Counsel appearing for the respondents waive service.

3. It is not disputed that the property belonging to the defaulter is more particularly identified in the notice dated 28<sup>th</sup> October, 2013. But, however, the respondent No.3, while issuing the attachment Notice, has issued a blanket order covering the entire property bearing Survey No.26/2 of Bainguinim Village, Tiswadi Taluka. Ms. Asha Desai, learned Counsel appearing for the respondent

No.3 points out that on perusal of the record it appears that the whole property bearing survey No.26/2 of Bainguinim Village cannot be the subject-matter of the attachment Notice issued by the respondent No.3.

4. In such circumstances, we deem it appropriate to direct the respondent No.3 to take appropriate measures to rectify the attachment Notice dated 28/10/2013, as expeditiously as possible, and within a period of four weeks from today.

5. Rule stands disposed of accordingly.

**C.V. BHADANG. J.**

**F.M. REIS, J.**

ssm.