

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 888 OF 2015

IN

WRIT PETITION NO. 800 OF 2015

MR.VIVEK ATMARAM NAIK AND 4 ORS., ... Applicants
Versus
SHRI VASSU HARI NAIK AND 6 ORS., ... Respondents

Mr. S. D. Lotlikar, Senior Advocate with Mr. C. Padgaokar,
Advocate for the applicants.

Mr. Kansar Amrut Shivram, Advocate for the respondents/original
petitioners.

Mr. P. Dangui, Additional Govt. Advocate for the original
respondents.

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

Date:- 17th December, 2015

P.C.:

Reply filed on behalf of the respondents/original petitioners.

2. Heard Mr. S.D. Lotlikar, learned Senior Counsel appearing for the applicants, Mr. A. Kansar, learned Counsel appearing for the original petitioners and Mr. P. Dangui, learned Additional Govt. Advocate appearing for the original respondents.

3. Undisputably, the applicants are Mahajans along with the original petitioners and on the basis of the complaint lodged by the applicants, that the impugned order dated 13/08/2015 is passed. In such circumstances, intervention is allowed. The application is accordingly disposed of.

4. It is submitted by Mr. S. D. Lotlikar, learned Senior Counsel

appearing for the applicants that the Jatra (Festival) is scheduled on 21st December, 2015 and the petitioners should adhere to and follow the traditional route of the Jatra. It is submitted by Mr. Kansar, learned Counsel appearing for the petitioners that the petitioners would abide by the traditional route of the Jatra. However, it is submitted by Mr. Lotlikar, learned Senior Counsel appearing for the applicants/interventors that in order to ensure that the petitioners abide by and adhere to the traditional route of the Jatra and the constitution of Devasthan, the Mamlatdar concerned may be directed to depute an official to remain present at the time of Jatra. Learned Additional Govt. Advocate appearing for the State submits that appropriate orders be passed in this regard.

5. In such circumstances, having heard the learned Counsel appearing for the respective parties, we deem it appropriate to direct the Mamlatdar of Pernem to take appropriate steps to ensure that the traditional route of the Jatra is followed and that there is no breach of the provisions of the constitution of the Devasthan.

6. The application stands disposed of accordingly.

C. V. BHADANG, J.

F. M. REIS, J.

ssm.