

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 297 OF 2016

SHRI. SUSHANT S. TARI.

... Petitioner

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 5 ORS.,

... Respondents

Mr. S. S. Kantak, Senior Advocate with Mr. Simoes Kher Ceazer
John, Advocate for the petitioner.

Ms. Neha Kholkar, Additional Government Advocate for the
respondent nos.1 and 2.

Ms. A. Lobo, Advocate holding for Mr. P. Rao, Advocate for the
respondent nos.3 to 6.

Coram:- C. V. BHADANG, J.

Date:- 20th April, 2016

P.C.

Heard Shri Kantak, learned Senior Counsel for the petitioner and the learned Counsel holding for Mr. P. Rao, learned Counsel appearing for the respondent nos.3 to 6. I have also heard the learned Additional Government Advocate for the respondent nos.1 and 2.

2. This petition challenges the order of refusal of interim stay during pendency of Land Revenue Appeal No.12/2016 by the Administrative Tribunal. This Court, on 09/03/2016, has observed that there was prima facie case and there was no reason for the Administrative Tribunal to have refused the interim stay, so that the situation takes an irreversible turn.

3. The learned Senior Counsel for the petitioner submits that the petition could be disposed of in terms of the said order, for which the learned Counsel for the contesting respondent nos.3 to 6 has no

objection with only rider that the appeal before the Administrative Tribunal is expedited.

4. Hence, the petition is disposed of by consent of the parties as under :

(i) The impugned order is hereby set aside.

(ii) There shall be interim stay of the order dated 28/01/2016 passed by the Deputy Collector in Case No.7/21/ILL-CONV/2015/190, during pendency of the Land Revenue Appeal No.12/2016 before the Administrative Tribunal.

(iii) Rival contentions of the parties on merits are left open.

(iv) The Administrative Tribunal shall decide the appeal as expeditiously as possible.

C. V. BHADANG, J.

SMA