

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 629 OF 2015

VASUDEV SHANKAR HERLEKAR.

... Petitioner

Versus

THE STATE OF GOA, THROUGH THE
CHIEF SECRETARY AND ANR.,

... Respondents

Mr. R. G. Ramani, Advocate for the petitioner.
Mr. A. N. S. Nadkarni, Advocate General with Mr. P. Dangui,
Additional Government Advocate for the respondents.

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

Date:- 4th January, 2016

P.C.:

Heard Mr. R.G. Ramani, learned Counsel appearing for the petitioner and Mr. A.N.S. Nadkarni, learned Advocate General appearing for the respondents.

2. Upon hearing the learned Counsel appearing for the parties, it is seen that the registration of the Sale Deed has been kept in abeyance in view of the Order dated 28/4/2008 passed by the Co-operative Tribunal, Goa in Misc.Application No.10/2008/STAY in Co-op.Rev. Application No.9/2008.

3. Mr. Ramani, learned Counsel appearing for the petitioner points out that the subject-matter of the sale deed does not cover the subject matter of the said order and, in any event, according to him,

there is no legal impediment to register the sale deed.

4. In such circumstances, the petition stands disposed of, with liberty to the petitioner to make a petition to the Sub-Registrar of Ponda on that count. The Sub-Registrar shall proceed to examine such petition and take a decision on the registration of the sale deed within 15 days from the date of receipt of such petition, in accordance with law. In case, there is no legal impediment, the Sub-Registrar shall proceed to register the sale deed, in accordance with law.

Liberty to the petitioner to revive the above petition in case any adverse order is passed against the petitioner.

K. L. WADANE, J.

F. M. REIS, J.

ssm.