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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 738 OF 2016

Mr. Gaurang Mangesh Suctancar,
son of Mr. Mangesh S. Suctankar,
major of age, businessman,
married, Indian National,
resident of Dona Paula,
Panaji Goa.

.... Petitioner

V e r s u s

1. State of Goa,
through Chief Secretary,
Secretariat,
Government of Goa,
Porvorim Goa.

2. The Inspector of Survey &
Land Records,
Margao Goa.

.... Respondents

Mr. Shivan Desai, Advocate for the petitioner.

Mr. S. D. Lotlikar, Advocate General with Mr. A. Prabhudesai, Addl.
Government Advocate for the respondents.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 2nd August, 2016

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. Shivan Desai, learned counsel appearing for

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the petitioner and Mr. S. D. Lotlikar, learned Advocate General appearing for the respondents.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. Mr. A. Prabhudessai, learned Addl. Government Advocate waives service on behalf of the respondents.

4. Upon hearing the learned counsel appearing for the respective parties, the grievance of the petitioner is that though an application for mutation in terms of the Land Revenue Code was filed by the petitioner on 12.05.2015, such application has not been processed based on a communication received on 20.06.2016 calling upon the petitioner to produce a registered transfer document.

5. Mr. Desai, learned counsel appearing for the petitioner points out that the mutation need not necessarily be carried out based on the Deed of Transfer but even on the basis of the Retirement Deed executed between the partners wherein the concerned petitioner was

a partner.

6. Mr. S. D. Lotlikar, learned Advocate General points out that the application filed by the petitioner for mutation shall be examined by the authorities expeditiously in accordance with law without being influenced with the observations made in the impugned communication.

7. In the facts and circumstances of the case, we find that it is not appropriate to delay such proceedings and it is expected that the authorities should expeditiously proceed with the proceedings in accordance with law. The aspect with regard to the Retirement Deed executed between the partners wherein the concerned petitioner was a partner would have to be examined on its own merits while considering such application for mutation filed by the petitioner. Hence, we dispose of the above petition by directing the respondent no.2 to dispose of the said application for mutation dated 12.05.2015 as expeditiously as possible in any event within two months from the date of the receipt of this order without being influenced with the observations made in the impugned communication dated

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20.06.2016. Rule stands disposed of accordingly. The petition stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

at*