

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1103 OF 2016

SHRI. SADANAND SHAMBA GAUDE AND 14
ORS.,

... Petitioners

Versus

SHRI. GOKULDAS YESHWANT GOUDE AND
2 ORS.,

... Respondents

Shri Vivek Angelo Rodrigues, Advocate for the petitioners.
Shri P. Talaulikar, Advocate for the respondent no.1.
Shri D. Pangam, Advocate for the respondent no.2.
Shri P. Faldessai, Addl. Govt. Advocate for the respondent no. 3.

Coram:- F. M. REIS, J.

Date:- 30th November, 2016

P.C.

Heard Shri V. Rodrigues, learned counsel appearing for the petitioners, Shri P. Talaulikar, learned Counsel appearing for the respondent no.1, Shri D. Pangam, learned Advocate appearing for the respondent no.2 and Shri P. Faldessai, learned Addl. Govt. Advocate appearing for the respondent no.3.

2. The challenge in the above petition is to an order passed by the learned Administrator dated 24.11.2016 whereby an application filed by the petitioners for intervention came to be rejected.

3. Both the learned Counsels have elaborately advanced respective contentions in support of their rival stand.

4. The main contention of the learned Counsel appearing for the petitioners is that the petitioners are legally entitled to perform pooja at the subject temple in terms of the Regulations and Notification

issued by the State Government.

5. This is seriously disputed by Shri P. Talaulikar, learned Counsel appearing for the respondent no.1 as according to him, the intervenors are not entitled to carry out such religious functions.

6. Shri D. Pangam, learned Counsel appearing for the respondent no.2/ concerned Devasthan has supported the stand taken by the petitioners herein.

7. In such circumstances, as the Concerned Devasthan who is supposed to look after the affairs of the temple as well as the religious functions therein is taking a stand in support of the petitioners, I find that there is no jurisdictional error committed by the Administrator while passing the impugned order. But however, in the peculiar facts and circumstances of the case, as it is pointed out that the petitioners only desire to advance arguments in support of their stand and in the interest of justice, the learned Administrator shall permit only one advocate on behalf of the petitioners to address the Court while hearing the matter on merits. It is made clear that the petitioners are not entitled to file any pleadings but assist the Administrator in taking a view on the basis of the material which is already on record. Subject to the above, petition stands rejected.

F. M. REIS, J.