

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1014 OF 2015

1. Shri Jeronimo Agostinho D'Silva,
major of age, businessman, married
and his wife,
2. Smt. Santana Corriea, major of age,
housewife,
Both residing at H. No. 376, Monddo,
Benaulim, Salcete, Goa. Petitioners

Versus

1. Smt. Assucena Ratos e Fernandes,
major of age, married, service,
Indian National,
2. Shri Soccoro Salvador Fernandes,
major of age, married, service,
Indian National,
Both residing at H. No. 246 (old) and
700 (new), Pulvaddo, Benaulim,
Salcete, Goa. Respondents

Mr. Iftikhar Agha, Advocate for the Petitioners.

Mr. Joseph Rodricks, Advocate for the Respondents.

CORAM:- S.B. SHUKRE, J.

DATE:- 25th FEBRUARY, 2016.

ORAL JUDGMENT:

Heard. Rule. Rule made returnable forthwith. Heard
finally by consent.

2. After having heard learned Counsel for the petitioners and learned Counsel for the respondents, I do not see any substance in this petition. Learned President of the Administrative Tribunal, Panaji, Goa has made a categorical observation to the effect that the right of purchase of the dwelling house of the respondents in accordance with the provisions of the said beneficial legislation of Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 cannot be curtailed or taken away. I see no reason to disagree with this proposition of law.

3. In the result, Writ Petition stands dismissed.

4. Rule is discharged. No costs.

S. B. SHUKRE, J.

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