

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO.7 OF 2017.

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/s

- 1 State of Goa, through Chief
Secretary, Government of
Goa, Porvorim, Goa.
- 2 The Inspector of Survey &
Land Records, Margao – Goa. Respondents.

Shri Shivan Desai, Advocate for the petitioner.

Shri S. D. Lotlikar, Advocate General with Ms. N. Kholkar,
Addl. Govt. Advocate for the respondents.

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

Date:-5th January, 2017.

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

Heard Shri S. Desai, learned Advocate appearing for
the petitioner and Shri S. D. Lotlikar, learned Advocate
General appearing for the respondents.

2. Rule.

3. Heard forthwith with the consent of the learned Counsel appearing for the parties.

4. The learned Addl. Govt. Advocate waives notice on behalf of the respondents.

5. Upon hearing the learned Counsel appearing for the respective parties, the main grievance of Shri S. Desai, learned Counsel appearing for the petitioner is that the impugned order dated 27.10.2016 passed by the respondent no. 2 was without giving a hearing to the petitioner.

6. Shri S. D. Lotlikar, learned Advocate General submits that the petitioner shall be given an opportunity of being heard before a fresh decision is taken on the application filed by the petitioner for mutation dated 12.5.2016.

7. Hence, we passe the following order:-

ORDER

- (i) The impugned order dated 27.10.2016 is quashed and set aside.

- (ii) The respondent no.2 is directed to decide the application dated 12.5.2016 afresh within three months after giving an opportunity to the petitioner of being heard in accordance with law.
- (iii) All the contentions of both the parties on merits are left open.
- (iv) Rule stands disposed off accordingly.

NUTAN D. SARDESSAI J.

F. M. REIS, J.

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