

**IN THE HIGH COURT OF BOMBAY AT GOA**

**CIVIL APPLICATION (REVIEW) NO. 4 OF 2017**

**IN**

**WRIT PETITION NO. 1045 OF 2016**

ANDRE ANTONIO AGNELO DA PIEDADE  
PEREIRA.,

... Applicant

Versus

UNION OF INDIA, THR. ITS SECRETARY  
AND 2 ORS.,

... Respondents

Petitioner in Person.

Shri Mahesh Amonkar, Standing Counsel for respondent no.1.

Shri S.R.Rivankar, Advocate for respondent no.2.

Shri Deep Shirodkar, AGA for respondent no.3.

Coram:- C. V. BHADANG &  
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 27th July, 2017

P.C.

Heard the petitioner in person, as also the learned Additional  
Government Advocate for respondent no.3.

2. It is contended by the petitioner, who appears in person, that the order incorrectly records that the learned Advocate General appears for respondent no.2 i.e. Election Commission of India. He submits that the learned Advocate General did not appear for respondent no.2.

3. A perusal of the record shows that, no notice was issued to the Election Commission of India and, as such, appearance as

recorded may be incorrect.

4. We, therefore, direct the appearance shall be appropriately corrected.

5. Secondly, it is contended that the Central Election Commission was not heard. This contention cannot be heard, at the instance of the petitioner, when the petition was dismissed in limine.

6. Thirdly, it is submitted that there was Fiscal District formed and no Revenue District was formed, as such.

7. This court, after considering the submissions made on behalf of the petitioner and after referring to the decision of the Hon'ble Supreme Court in the case of Devanagere Cotton Mills Ltd. Vs. Deputy Commissioner, Chitradurga and Another, AIR 1961 SC 1441, which was relied upon, has held that the petition cannot be entertained. This Court has also held that the petitioner has been unable to show as to how the four Goa Assembly Constituencies in the Mormugao Taluka are not legal or the appointment of the Collector in the Revenue District of South Goa is not legal and proper.

8. Once that view is taken, we do not find that there is error

apparent on the face of record. No case for review is made out. The civil application is disposed of accordingly. The appearance be corrected.

PRITHVIRAJ K. CHAVAN, J.  
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C. V. BHADANG, J.