

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 171 OF 2016**

1. Suresh Vasudeo Petkar Salgaonkar,
son of Vasudeo Salgaonkar,
aged 63 years, married,
self employed H.No.713(1),
St. Anthony Prias, Anjuna,
Near St. Anthony Chapel, Bardez, Goa.

2. Krishnanath Gurudas Petkar
Salgaonkar, son of Gurudas
Salgaonkar, aged 48 years,
married, service H.No.1793/1,
Gaun Vaddi, Anjuna, Bardez, Goa.

3. Shrikant Narayan Petkar Salgaonkar,
son of Narayan Salgaonkar,
aged 60 years, married,
businessman, H.No.E/429,
Tabra Vaddo, Saligao, Bardez, Goa.

4. Vinayak Pundalik Petkar
Salgaonkar, son of Pundalik
Salgaonkar, aged 52 years,
married, self employed, H.No.761/1,
Sai Nagar, Aldona, Bardez, Goa.

5. Vinayak Surya Petkar Salgaonkar,
son of Surya Salgaonkar,
aged 54 years, married,
business, H.No.880,
Mazal Vaddo, Anjuna, Bardez, Goa.

..... Petitioners.

V/s.

1. Shri Devi Sharvani Vetel-Maharudra
Panchayatan Sansthan, Advalpal,
Salgaonwada, P.O. Assonora,
Bicholim, Goa, through its Ad -Hoc
Committee, represented by its Attorney,

Mr. Ramchandra Shrikrishna Prabhu Salgaonkar,
major, with Office at Advalpal,
Salgaonwada, P.O. Assonora,
Bicholim, Goa.

2. The Administrator of Devalayas,
Mamlatdar of Bicholim Taluka,
Bicholim, Goa.

3. The State of Goa,
through its Chief Secretary,
Secretariat, Porvorim, Goa.

Mr. Nigel Da Costa and Ms. M. Correia, Advocates for the
petitioners.

Mr. S. S. Kantak, Senior Advocate with Mr. P. Talaulikar, Advocate
for respondent No.1.

Mr. D. Lawande, Advocate General with Mr. A. Gomes Pereira,
Addl. Govt. Advocate for the respondents no.2 and 3.

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

Date : - 03/05/2017.

ORAL JUDGMENT : (PER F.M. REIS, J.)

Heard Mr. Nigel Da Costa, learned Counsel appearing
for the petitioners, Mr. S. S. Kantak, learned Senior Counsel
appearing for the respondent No.1 and Mr. D. Lawande, learned
Advocate General appearing for the respondents no.2 and 3.

2. The matter was heard at length and during the course of hearing, as the dispute was in connection with the catalogue of the Members of the Devasthan and as there was a serious dispute with regard to the decision taken by the Ad hoc Committee in respect of the list, it was suggested that a mutually agreed person be appointed to decide on the objections raised in terms of Article 23 of the Devasthan Regulation. The learned Counsel appearing for the respective parties sought time to explore the possibility to ensure that such dispute is settled as expeditiously as possible. Accordingly, when the matter was taken up today, the learned Counsel appearing for the respective parties were present and pointed out that the dispute raised in the above petition is settled and the parties have agreed to appoint Shri P.V. Savoikar, Retired District and Sessions Judge, as an Adjudicator to decide on the objections raised in terms of Article 23 of the Devasthan Regulation. The learned Counsel have also produced Minutes of Order to dispose of the above writ petition duly signed by all the Advocates appearing for the respective parties, as well as the petitioner No.1 and the attorney of the respondent No.1. The

above petition is disposed of in terms of the Minutes of Order marked "X" for identification.

3. The respondent No.1 shall initially deposit a sum of Rs.1.00 lakh towards the fees and other misc. expenses of the Adjudicator. The Adjudicator shall thereafter submit to the respondent No.1 his bill towards fees and other expenses which shall be paid by the respondent No.1 in terms of the Minutes of Order.

4. In view of the above, we pass the following :

O R D E R

(I) The catalogue of Members of the Devasthan as notified by the respondent No.1 on 18.1.2016 and published in the Official Gazette dated 21.01.2016 is quashed and set aside.

(II) The Petition stands disposed off in terms of the Minutes of Order marked 'X' for identification.

(III) Any interim order, inconsistent with the Minutes of Order stands vacated and will have no legal effect.

(IV) Rule is made absolute in the above terms.

NUTAN D. SARDESSAI, J.
ssm.

F.M. REIS, J.