

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 166 OF 2017

IN

WRIT PETITION NO. 628 OF 2016

THE BODY OF MEMBERS (MAZANIA)
SHREE RUDRESHWAR DEVASTHAN, THR.
ITS DULY ELECTED ATT. AND 4 ORS.

... Applicant

Versus

THE STATE OF GOA, THR. THE
SECRETARY, REVENUE AND 16 ORS.,

... Respondents

Shri S.S.Kantak, Senior Advocate with Shri P.Talaulikar,
Advocate for the applicants.
Shri P.Faldessai, Additional Government Advocate for the
respondent nos.1 to 3.

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

Date:- 21st February, 2017

P.C.

Heard Shri S.S.Kantak, learned Senior Counsel with Shri P.Talaulikar, learned counsel appearing for the applicants and Shri P.Faldessai, learned Additional Government Advocate appearing for the respondent nos.1 to 3.

2. Shri Kantak, learned Senior Counsel points out that despite of an order dated 27th January, 2017 being in operation whereby the earlier orders of status quo and other interim directions issued were ordered to continue, the respondent no.3 in flagrant violation of such directions has changed the status quo and proceeded to unlock the office of the Devasthan, opened the

cupboards and removed the documents of the said Devasthan. It is further pointed out that inspite of pointing out the orders passed by this Court, the respondent no.3 proceeded with such action.

3. Shri Faldessai, learned Additional Government Advocate points out that there was a mis-appreciation of the legal position in interpreting the orders passed by this Court dated 27.1.2017 which led to the subject action complained by the applicants in the above application. The learned Additional Government Advocate fairly states that the changes in the status quo as carried out by the respondent no.3 shall be brought to the original position by tomorrow i.e. 22/02/2017. The learned Additional Government Advocate however disputes that any documents have been removed after breaking the locks but points out fresh locks have been inserted to the concerned office of the Devasthan which shall be pursuant to the said statement removed.

4. Accepting the said statement of the learned Additional Government Advocate, upon instructions of the concerned officer Shri Pravin D. Gawas, we find that the grievances of the petitioners stand redressed. The applicants shall accordingly remain present on 22.02.2017 at 11.00 a.m. when the respondent no.3 shall proceed to comply with the above statement of the

learned Additional Government Advocate.

5. Civil application stands accordingly disposed of.

4. Authenticated copy of this order shall be furnished to the parties.

NUTAN D. SARDESSAI, J.
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F. M. REIS, J.