

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION No. 245 OF 2017

1. Mr. Inacio Estevam Vas,
S/o. Agostinho Vas,
Age 54 years
R/o. House No. 329/1,
Butica, Navelim, Salcete
South Goa – 403 707.
2. Mr. Joseph Vaz
S/o. Rufo Vaz
Age 49 yers
R/o House No. 8,
Aquem Baixo Aquem, Salcete
South Goa – 403 707

... PETITIONERS

Versus

- 1) The Chief Electoral Officer,
Election Commission of India,
Altinho, Panjim-Goa.
- 2) The Electoral Registration Officer,
33-Navelim Constituency
Mathany Saldanha Collectorate Building
Margao-Salcete-Goa.

...RESPONDENTS

Mr. Nigel Da Costa Frias, Advocate for the Petitioners.
Mr. S. R. Rivankar, Advocate for the Respondents.

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

Date:- 11th April, 2017

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

We have heard Mr. Nigel Da Costa Frias, learned Counsel appearing for the Petitioners and Mr. S. R. Rivankar, learned Counsel appearing for the

Respondents.

2. Rule. Heard forthwith with the consent of the learned Counsel. Learned Counsel appearing for the Respondents waives service.

3. The main grievance of the Petitioners is that 660 new names have been entered in the Electoral Rolls of 33-Navelim Constituency which, according to the Petitioners, is without following the procedure laid down in the Registration of Electors Rules, 1960. Mr. Nigel Da Costa Frias has given emphasis to Rule 10 and the subsequent provision therein to point out that the procedure laid down has not been followed when the names of the Electors were included. The concern of the Petitioners is that such Electoral Rolls are likely to be used for the purpose of the ensuing Panchayat elections.

4. Mr. S. R. Rivankar, learned Counsel appearing for the Respondents, upon instructions, states that in case the Petitioners raise their objections in terms of Rule 12 of the said Rules of 1960, the Respondent no. 2 shall consider such objections and decide within two weeks from the date of receipt of such objections.

5. Shri Rivankar, learned Counsel further pointed out that this exercise shall be positively completed before the Electoral Rolls for the ensuing Panchayat elections are finalised.

6. In such circumstances, we dispose of the above Petition by giving liberty to the Petitioners to raise their objections in terms of the said Rules on or before 17.04.2017 and the Respondent no. 2 shall examine such objections within two weeks thereafter, in accordance with law. All contentions raised in

the above petition are left open.

7. Mr. Rivankar, learned Counsel for the Respondents, upon instructions, states that any further information sought by the Petitioners vide their application dated 15.03.2017 shall be furnished to the Petitioners on or before 13.04.2017 which the Petitioners may collect from the office of the Respondent no. 1.

8. Rule stands disposed of in the above terms.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

msr.