

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION No. 522 OF 2016

Mr. Mohan Namdev Salgaokar
S/o. Namdev Salgaokar
Aged 63 years,
Occupation Retired, Married,
R/o. Sai Sauli, Room No-3, Deen Dayal,
Cross Road, Shastri Nagar, Dambowli West
Mumbai And Others.

... Petitioner

Versus

1. Shree Devi Sharvani Vetal Maharudra,
Panchayatan Sansthan, Advalpal, Saligaonwada.
2. The Administrator of Devalayas,
Mamlatdar of Bicholim Taluka,
Bicholim, Goa.
3. The State of Goa
Through Chief Secretary, Secretary
Secretariat, Porvorim, Bardez-Goa.

... Respondents

Mr. A. Khandeparkar, Advocate with Mr. Rohan Pandurang Desai, Advocate
for the petitioner.
Mr. P. Talaulikar, Advocate with Ms. N. Pimenta, Advocate for Respondent
no. 1.
Mr. Sagar G. Dhargalkar, Additional Government Advocate for Respondents
no. 2 and 3.

WITH

WRIT PETITION No. 183 OF 2016

1. Mr. Prabhakar Vithal Salgaonkar
S/o. Vithal Salgaonkar
Age-72 years, Married,
Occupation – Retd.
R/o House No-1F 2, Alfred Apartments
Kerant Caranzalem Goa.

2. Mr. Balkrishna Utaam Salgaonkar
S/o Uttam Salgaonkar
Age-43 years, Married,
Occupation-Service
R/o House No-19/C, Parcem Pernem Goa.
3. Mr. Bibishan Babuso Salgaonkar
S/o Babuso Salgaonkar
Age-28 years, Bachelor,
R/o House No-168/A, Parcem Deoulwada
Parcem Pernem Goa.
4. Mr. Ramesh Namdev Salgaonkar
S/o Namdev Salgaonkar
Age-58 Years,
Married, occupation-Retd.
R/o Post Kankavli, Zilla Sindhudurg
Maharashtra.
5. Mr. Anil Shiva Salgaonkar
S/o Shiva Salgaonkar
Age-41 Years, occupation-Business
Married, and R/o House No-871/10
Aldona Bardez-Goa.

... Petitioners

V/s.

1. Shree Devi Sharvani Vetel Maharudra
Panchayatan Sansthan, Advalpal, Saligaonwada,
P.O. Assnora Bicholim-Goa,
Through its Ad Hoc Managing Committee,
Represented by its Attorney,
Mr. Ramchandra Shrikrishna Prabhu Salgaonkar,
Major of Age, Married,
With office at Advalpal, Saligaonkarwadda,
P.O. Assnora Bicholim Taluka
Bicholim Goa.
2. The Administrator of Devalayas,
Mamlatdar of Bicholim Taluka,
Bicholim Goa.
3. The State of Goa,
Through Chief Secretary, Secretary.

.... Respondents.

Mr. A. Khandeparkar, Advocate with Mr. Rohan Pandurang Desai, Advocate for the petitioner.

Mr. P. Talaulikar, Advocate with Ms. N. Pimenta, Advocate for Respondent no. 1.

Mr. A. Gomes Pereira, Additional Government Advocate for Respondents no. 2 and 3.

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

Date : 01st August, 2017.

ORAL JUDGMENT:

Heard Mr. A. Khandeparkar, learned Counsel appearing for the petitioner and Mr. P. Talaulikar, Advocate for the respondent no. 1.

2. During the course of the hearing of the above Petition, Mr. Khandeparkar, learned Counsel appearing for the Petitioner points out that the above petition may be conveniently disposed of based on the terms in the companion Petition bearing Writ Petition No. 171 of 2016 disposed of by Judgment dated 03.05.2017.

3. It is not disputed by the learned Counsel that the matters being examined by the Adjudicator in terms of the said Judgment dated 03.05.2017 would cover the allegations made by the Petitioner in the above Writ Petition. It is also not in dispute that the challenge in the above Petition is also to the catalogue which was the subject matter of the Writ Petition bearing No. 171 of 2016. Considering the similarity of the disputes in both the above Petitions we find that the above Petition can be disposed of in

terms of the Judgment and the Minutes of Order dated 03.05.2017 passed in Writ Petition No. 171 of 2016.

4. Mr. Khandeparkar, the learned Counsel appearing for the Petitioner further points out that the Adjudicator should consider the matter in terms of the said Judgment and not travel beyond the directions issued therein and clarification to that effect be issued in the present petition. We are not inclined to grant any clarification on that aspect and the Petitioner, if so advised, may raise such contention before the Adjudicator who shall decide such contention in accordance with law

5. Subject to above, the Petition stands disposed of in terms of the Judgment dated 03.05.2017 and the Minutes of Order therein marked as Annexure 'X' for identification. Rule stands disposed of, accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

msr.