

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 434 OF 2017

1. Mr. Michael Fernandes
Age 44 years, business,
R/o H. No. 1707, Saipem
Candolim, Bardez- Goa.
2. Mr. Hyacinth Mascarenhas
Age 51 years, business,
R/o. H. No. 1756B, Saipem
Candolim, Bardez- Goa. ...Petitioner

Versus

1. The Chief Election Officer,
Office of the Chief Election Officer
Having office at
Altinho, Panaji Goa.
2. Goa State Election Commission
having office at
Altinho, Panaji Goa.
3. State of Goa
Through Secretary Panchayat Raj Department,
Having office at Secretariat,
Porvorim, Bardez- Goa.
4. Director of Panchayat,
Having office at Secretariat,

Junta House, Panjim- Goa.

5. Election Returning Officer,
08 Calangute Constituency,
having office at Additional Director of Municipal
Administration,
Collectorate Building,
Panjim – Goa.
 6. Block Development Office Bardez Taluka,
having office at
Mapusa, Bardez- Goa.
 7. Pritam Kandolkar Naik,
major in age, service
Booth Level Officer (BLO),
Having office at
Village Panchayat of Calangute,
Candolim, Bardez- Goa.
 8. Village Panchayat Candolim,
Through its secretary,
Having office at
Candolim, Bardez- Goa.
- ...Respondents

Shri P. Kamat, Advocate for the petitioner.

Shri S. R. Rivankar, Advocate for the respondents no.1 and 5.

Shri L. Fernandes, Advocate for the respondent no.2.

Shri Deep Shirodkar, Additional Government Advocate for the respondent no.3.

Shri Deepak Gaonkar, Advocate for the respondent no.7.

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

Date :- 18th July, 2017

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

Heard learned Counsel for the parties.

2. Rule. Shri S. R. Rivankar, learned Counsel waives service on behalf of the respondents no.1 and 5, Shri L. Fernandes, learned Counsel waives service on behalf of the respondent no.2, Shri Deep Shirodkar, learned Additional Government Advocate waives service on behalf of the respondent no.3 and Shri Deepak Gaonkar, learned Counsel waives service on behalf of the respondent no.7. Heard forthwith with the consent of learned Counsel for the parties.

3. The short grievance raised by the petitioner at this stage is that the objection raised by the petitioner dated 20/04/2017 as well as the earlier objections, to the inclusion of the names in the electoral roll of 08 Calangute Constituency have not been examined by the respondent no.5.

4. Shri Rivankar, learned Counsel for the respondent no.5, on instructions, states that the process of considering the objection is

in progress and such proceedings shall be disposed off within three months after giving opportunity to all the concerned parties including the petitioner of being heard.

5. Accepting the statement of the learned Counsel of the respondent no.5 nothing survives in the above petition. The petition accordingly stands disposed off. Needless to say that all the contentions on merits raised in the above petition are left open.

6. Rule stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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