

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.351 OF 2017

WITH

STAMP NUMBER (APPLN.) NO.2874 OF 2017

Elmas Fernandes ...Petitioner

Versus

State of Goa & Ors ...Respondents

Mr M B De Costa, Senior Advocate *with Ms Karishma Betquecar,*
Advocate for the petitioner.

Mr A Jamadar, Addl. Govt Advocate *for Respondents No 1 and 5.*

Mr J E Coelho Pereira, Senior Advocate *with Mr V Braganza,*
Advocate for respondent No.2.

WITH

WRIT PETITION NO. 691 OF 2013

Isabela Menino Godad ...Petitioner

Versus

Alfredo Pedro de Almeida and & Ors ...Respondents

Mr A. Gomes Pereira, *Additional Govt. Advocate for respondent No.2*

**CORAM: G.S. PATEL &
NUTAN D. SARDESSAI, JJ**

DATED: 5th September 2017

PC:-

1. Mr. M.B. De Costa is for the Petitioner in Writ Petition No.351 of 2017. The Petitioner in the companion Writ Petition No.691/2013 is not represented. Respondent No.2 in Writ Petition

No.351/2017 is the Patriarchal Tribunal of the Archdiocese of Goa and Daman, Panaji, Goa. This is also Respondent No.3 in the connected WP No.691/2013.

2. A grievance is made by Mr Coelho Pereira on behalf of the Archdiocese of Goa that it has not been served. At the same time, Mr. De Costa for the Petitioner in WP 351/2017 desires to amend the Petition to add further grounds of challenge. The Petitioner in Writ Petition No.351 of 2017 has filed Stamp Number (Appl.) No.2874 of 2017. That has just been lodged, but has not yet been numbered. We will allow Stamp Number (Appl.) No.2874 of 2017 and the addition by amendment of paragraphs 28A and 28B. The civil application is to be numbered in the course of the week and will stand marked as disposed of by this order. A copy of the amended petition will be served on Mr. Braganza who will then file his vakalatnama and appearance on behalf of the Patriarchal Tribunal of the Archdiocese of Goa and Daman. This amendment is to be carried out by 15th September 2017 and service completed by 20th September 2017.

3. The file notings indicate that there is a Bailiff's report showing service on Respondent No.4, the main affected party. That service was done by pasting a notice on the main door in presence of two witnesses whose signatures have been obtained. We will proceed on the basis that service on Respondent No.4 in WP 351/2017 is thus complete.

4. Liberty to the Patriarchal Tribunal of the Archdiocese of Goa to file a reply by 25th September 2017.

5. We will list both the petitions for final hearing in the afternoon session of 3rd October 2017.

NUTAN D. SARDESSAI J.

G. S. PATEL J.