

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4793 OF 2017

Manjulaben Bhanabhai Patel & Ors.	..Petitioners
Vs.	
Union of India & Ors.	..Respondents

Mr.A.N. Giri with Mr.S.P. Batavia for Petitioners.

**CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.**

DATE : 14th NOVEMBER 2017

P.C.:

Heard the learned Counsel for the petitioners on the question of admission.

2. By filing this petition, the petitioners are seeking following directions:-

“a. That a writ of certiorari, writ of mandamus or any other appropriate writ, order or direction be issued calling for the records and after examining the legality and proprieties of the writ be ordered and directed Secretary, Administration of Daman and Diu, Department of Law and Justice, Secretariat, Moti Daman to carry amendment or repeal personal laws/family laws (Portuguese Enactments) which are in force in Union Territory of Daman and Diu.

b. That a writ of certiorari, writ of mandamus or any other

appropriate writ, order or direction be issued calling for the records and after examining the legality and proprieties of personal law/family laws (Portuguese Enactments) which are in force in Union Territory of Daman and Diu, be ordered and directed Secretary, Administration of Daman Diu, Law and Justice Department, Secretariat, Moti Daman to amend the family laws/personal laws (Portuguese Enactments). ”

3. Having regard to the aforesaid prayers, in our considered view, such relief cannot be granted by Courts in the nature of issuing writ of mandamus as aforesaid. This would amount issuance of direction to legislate.

4. In the circumstances, with liberty to the petitioners to approach the appropriate forum by making appropriate representation, we dismiss this Writ Petition.

[G.S. KULKARNI, J.]

[SHANTANU S. KEMKAR, J.]