

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.171 OF 2018

Comunidade of Pirna, through its
Attorney, Shrikrishna V. Naik & 2 Ors. Petitioners
V/s.

State of Goa, through its Chief
Secretary and others. Respondents.

Mr. Shashikant Narayan Joshi & Ms. Sameera Bhat, Advocates for
the Petitioners.

Mr. Dattaprasad Lawande, Advocate General with Mr. Amogh
Prabhudessai, Additional Govt. Advocate for respondents No.1 to 3.

Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.

Date : 28 February 2018.

P.C.:

Heard the learned Counsel for the Petitioner. The
Petitioners have sought a judicial inquiry either from a sitting District
Judge or the Registrar of this Court and also sought for directions for
institution of criminal prosecution.

2. A perusal of the petition indicates that there was a civil dispute
pending between the parties, which was disposed of in terms of the
consent terms. The petitioners allege fraud while executing the

consent terms. The petitioners have remedies in the Civil and Criminal Courts in respect of the same. As on date, there is no conclusion reached by any competent Court regarding the fraud as sought to be alleged by the petitioners. It is not possible for us to direct an inquiry as indicated, on the basis of the material placed before us. As and when the competent Court renders conclusive findings regarding the fraud, the question of inquiry may arise for consideration. Therefore, at this stage, we cannot entertain the writ petition, which is, accordingly, disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.