

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.860 OF 2018

Gil Lobo e Jose Gil Agnelo Santana
da Vitorio Lobo, (deceased) through
his LRs.

..... Petitioner.

Versus

State of Goa through its
Chief Secretary & ors.

..... Respondents.

Mr. Kapil D. Kerkar, Advocate for the Petitioner.

Mr. Rajesh Shirodkar, Additional Govt. Advocate for Respondents
No.1 to 3.

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

Date : 3 September 2018.

P.C.:

The Petitioner has sought a direction to the Mamlatdar of Bardez to implement the order passed by the Deputy Collector and S.D.O. Mapusa. The order dated 28 August 2013 passed by the Deputy Collector of Bardez, at Mapusa is annexed to the Petition which directs the Mamlatdar of Bardez to carry out the necessary entries.

2. To a query to the learned Additional Govt. Advocate as

to why the entry has not been carried out, it was informed that the Petitioner has not paid the necessary charges. The learned Counsel for the Petitioner is right in contending that all that needs to be done is to delete the wrong entry made, and not that entry in favour of the Petitioner be made. Even otherwise, we see from the order dated 28 August 2013 that the scope before the Mamlatdar is only clerical in nature to implement the order. Unless the order dated 28 August 2013 is varied or set aside, the Mamlatdar will have to give effect to the same. Respondent No.2 Mamlatdar will accordingly give effect to the order dated 28 August 2013 within a period of six weeks from today. If there are any other procedural compliances to be done, the learned Counsel for the Petitioner states that the Petitioner will do so.

3. The Writ Petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.