

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 918 OF 2017

PARVATI PANDURAN MADVAL @USGAONKAR
(DEC) AND 3 ORS., ... Petitioners

Versus

GURUDAS Y. PHADTE AND ANR., ... Respondents

Shri A. F. Diniz and Shri Ryan Da Piedade Menezes, Advocates
for the petitioners.
Shri Joaquim Godinho, Advocate for the respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 16th April 2018

P.C.

Heard.

2. By consent of parties, the petition is disposed of in the following terms :

ORDER

- (i) The petition is allowed.
- (ii) The impugned judgment and order is hereby set aside.
- (iii) The respondent no.2 is permitted to convert the appeal filed before the learned District Judge into a Revision Application under Section 46 of the Goa Buildings (Lease, Rent and Eviction) Control Act, 1968.
- (iv) The learned District Judge shall permit such conversion and shall then decide the Revision Application on its own merits and in accordance with law, after hearing the parties.

- (v) The learned District Judge shall decide the Revision Application as expeditiously as possible and preferably within a period of six months from the date of appearance of the parties.
- (vi) Parties to appear before the learned District Judge on 23/04/2018 at 10.00 a.m.
- (vii) Rival contentions on merits are left open.
- (viii) In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

SMA