

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**WRIT PETITION NOS.218 AND 219 OF 2018**

Guita Krishna Quinlecar (Dec)  
Their Lrs. And 4 Ors.

... Petitioners

V e r s u s

Rama Krishna Sarmalkar  
(Dec) Thr. His Lrs.

... Respondents

Shri Arjun F. Naik, Advocate for the Petitioners.

Shri K. T. Sawant, Advocate for the Respondent Nos.1(a) and  
(b).

**Coram:- NUTAN D. SARDESSAI, J.**

**Date : 05 September 2018**

P.C.

Heard Shri Arjun Naik, learned Counsel appearing for the petitioners for a considerable time and Shri K. T. Sawant, learned Counsel appearing for the respondent nos.1(a) and (b).

2. It is not particularly in dispute that the claim of tenancy raised by the respondents was negated by the learned Mamlatdar but partly held in the respondents' favour by the Deputy Collector in appeal without specifying the area in respect of which the tenancy was claimed.

3. Admittedly, the petitioners herein have challenged the order of the Deputy Collector in revision before the Administrative Tribunal which in view of the change in jurisdiction is currently pending before the District Judge, North Goa, Panaji. The determination of this issue would impact the outcome of the proceedings before the learned reference court and in view thereof, the issue can be given a quietus by quashing and setting aside the order under challenge and remand the file before the reference court to keep the proceedings in abeyance pending the decision of the revisional court.

4. In view thereof, the impugned order dated 29.07.2017 is quashed and set aside and the matter is remanded to the reference court.

5. In these terms, both these petitions stand disposed off.

**NUTAN D. SARDESSAI J.**

arp/\*