

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 319 OF 2018

RAUL @ RAHUL FERNANDES., ... Petitioner

Versus

STATE OF GOA, REP. BY ITS CHIEF
SECRETARY AND ANR., ... Respondents

Adv. Andre Pereira for the Petitioner.
Ms. Amira Abdul Razaq, Addl. Government Advocate for
Respondent no.1.

Coram:- C. V. BHADANG, J.

Date:- 12th February 2019

P.C.:

Heard Shri Pereira, the learned counsel for the petitioner and
Ms. Razaq, the learned Additional Government Advocate for the
first Respondent.

2. It is submitted by the learned counsel for the petitioner that out
of the office objections notified by the trial court, on 23/5/2017
some of the office objections are already removed. The learned
counsel for the petitioner submits that in so far as the aspect of
limitation is concerned, the office cannot refuse registration of
the suit and it is for the Court to look into the issue after the suit
is registered, whether the suit is within limitation or not.

3. Ms. Razaq, the learned Additional Government Advocate does not dispute that from the record it appears that some of the office objections are already removed.

4. Considering the overall circumstances, I find that it would be appropriate if the trial court looks into the issue about removal of the office objections and the question of limitation in the light of the submissions made by the petitioner afresh and then passes appropriate order as may be deemed fit.

5. In that view of the matter, the impugned order is hereby set aside. The learned District Judge shall look into the matter and pass appropriate orders after hearing the petitioner in accordance with law.

6. The petitioner to remain present before the District Judge on 26/2/2019.

C. V. BHADANG, J.

ap/-