

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 246 OF 2019

VILLAGE PANCHAYAT OF CHIMBEL, THR.
ITS SARPANCH.,

... Petitioner

Versus

STATE OF GOA, THR. CHIEF SECRETARY
AND 2 ORS.,

... Respondents

Ms. Ankita Avdhut Kamat, Advocate for the Petitioner.

Mr. Pravin N. Faldessai, Additional Government Advocate for
Respondent Nos. 1 and 2.

Mr. Ashwin D. Bhobe, Advocate for Respondent No. 3.

Coram:- C. V. BHADANG, J.

Date:- 26th June 2019

ORAL ORDER:

Heard for some time.

2. The challenge in this petition is to the two orders, passed by the learned Deputy Director of Panchayats, North i.e. dated 28.11.2018 and 15.01.2019.

3. Insofar as the first order dated 28.11.2018 is concerned, the learned Deputy Director of Panchayats has refused to uphold the preliminary objection raised by the respondent no. 3, to his jurisdiction to entertain the application filed by the respondent no. 3, for determination of the question whether, the village

Morombi-O-Grande, falls within the jurisdiction of the petitioner-Panchayat.

4. By the second order, the learned Deputy Director of Panchayats has directed the Block Development Officer, Tiswadi and the Surveyor of Directorate of Settlement and Land Records to inspect the village and to ascertain the disputed boundaries and to mark the boundaries.

5. Undisputedly, after the impugned orders were passed, the learned Deputy Director of Panchayats has finally decided the proceedings being DDPN/Demaration/Merces/Tis/01/2013 on 27.03.2019 and that order is subject matter of challenge at the instance of the petitioner as well as respondent no. 3, before the learned District Judge in a revision application, under Section 201-B of the Goa Panchayat Raj Act, 1994 in Revision Application No. 17/2019. Incidentally, the respondent no. 3 has also challenged the said order before the learned District Judge.

6. In such circumstances, nothing survives in the petition, which is accordingly disposed of. Needless to mention that the petitioner shall be entitled to raise the ground about challenge to the jurisdiction of the Deputy Director of Panchayats and all other grounds, as may be available in law and on facts, before the learned District Judge. All rival contentions of the parties are

left open. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

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