

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 372 OF 2019**

PRAMOD D. PARULEKAR.

... Petitioner

VersusTHE ADMINISTRATOR OF COMUNIDADES,
MAPUSA AND 3 ORS.

... Respondents

Mr. V. A. Lawande, Advocate for the Petitioner.

Mr. S. Dhargalkar, Addl. Government Advocate for Respondent Nos.1
& 3.

Mr. S. Desai, Advocate for Respondent No.2.

Mr. Amey Kakodkar, Advocate for Respondent No.4.

**Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.****Date:- 25th September, 2019****P.C.**

Heard Mr. Lawande, learned counsel for the Petitioner, Mr. Dhargalkar, learned Addl. Government Advocate for the Respondent Nos.1 and 3. Mr. S. Desai appears for Respondent No.2 and Mr. A. Kakodkar appears for Respondent No.4.

2. At the outset, Mr. Lawande states that the Petitioner does not accept any of the averments in the affidavit filed on behalf of the Respondent No.3 by the Revenue Secretary. This is noted merely because the Petitioner may not have filed any rejoinder, it may not be taken that the Petitioner has admitted any of the averments in the said affidavit.

3. Mr. Dhargalkar, learned Addl. Government Advocate places on record the communication dated 25.09.2019 addressed by the Under Secretary (Revenue) to the Administrator of Comunidade. The communication reads as follows :-

*“Government of Goa
Revenue Department
Secretariat, Porvorim Goa 403 521*

No.17/2/SER/2012-RD/2757 Dated: 25/09/2019

*To
The Administrator of Comunidade,
North Zone, Mapusa Goa.*

*Sub :- Representation of Shri Pramod D.
Parulekar dated 27/12/2017.*

Sir,

I am directed to refer to the subject cited above and your letter dated 21/02/2019 and to inform you that the representation filed by Shri Pramod Parulekar which has been rejected by you vide above referred letter is devoid of any authority and therefore non-est.

You are therefore requested to reprocess the petition of Shri Pramod Parulekar after reconsidering your earlier stand, as per the procedure prescribed by Law.

Yours faithfully,

Sd/-

(Sudin A. Natu)

Under Secretary (Rev-I)

Copy for information :-

*The Collector/Directorate of Civil Administration, North
Goa District, Collectorate Building, Panaji Goa.”*

4. In view of the aforesaid communication, Mr. Lawande, learned counsel for the Petitioner, on the basis of the instructions from the Petitioner craves leave to withdraw this petition. However, he submits that in case upon reconsideration of the Petitioner's representation, the decision is adverse to the interest of the Petitioner, liberty be reserved to the Petitioner to question the same by taking out appropriate proceedings.

5. According to us, there is no difficulty in accepting the request made by Mr. Lawande on behalf of the Petitioner. If the decision, upon reconsideration, is against the interest of the Petitioner, the Petitioner, is reserved liberty to take out appropriate proceedings to question the same.

6. We make it clear that we have not examined the rival contentions and therefore, all contentions of parties are left open to be decided by the appropriate Authorities in accordance with law and on their own merits.

7. With the aforesaid, we grant leave to the Petitioner to withdraw this petition and dispose of this petition as withdrawn.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

at*