

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 512 OF 2019

TULSHIDAS BABI MALIK., ... Petitioner

Versus

MANAGING COMMITTEE COMUNIDADE OF
ARVALEM, REP. BY ATTORNEY, SHARAD
RAOJI MALIK AND 5 ORS., ... Respondents

Ms. Ketaki L. Pednekar, Advocate for the Petitioner.

Mr. Rui Gomes Pereira, Advocate for Respondent Nos. 1, 4, 5
and 6.

Ms. Susan Linhares, Additional Government Advocate for
Respondent Nos. 2 and 3.

Coram:- C. V. BHADANG, J.

Date:- 1st October, 2019

ORAL ORDER:

The challenge in this Petition is to the three orders passed in Comunidade Appeal No. 2/2019, by which, the learned Administrative Tribunal has refused to grant a request for impleadment of parties and for amendment of the election petition. While dismissing the applications, the Tribunal has also imposed costs. The petitioner is challenging the election of the Managing Committee of the Comunidade of Arvalem, before the learned Administrative Tribunal.

2. Ms. Pednekar, the learned Counsel for the petitioner, on instructions, states that the petitioner will not press the challenge

to the substantive order, refusing to grant the amendment and the impleadment, as the petitioner craves leave to impugn the same, in a challenge against the final order in Appeal, if it is adverse to the petitioner. She only submits that the petitioner had filed the Appeal in person and was not aware of the intricacies of the procedure and therefore, the part of orders to the extent imposing costs be set aside. In other words, the challenge at this stage, is restricted only to the part of the orders imposing costs.

3. The learned Counsel for the respondents has no objection for modifying the impugned orders, setting aside the part of the orders imposing costs.

4. In such circumstances, the Petition is partly allowed with liberty to the petitioner as prayed. The part of the three orders imposing costs on the petitioner, is hereby set aside. The rest of the orders are not interfered with, at this stage.

C. V. BHADANG, J.

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