

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 553 OF 2019

IN

PUBLIC INTEREST LITIGATION WP NO. 34 OF 2018

THE GOA FOUNDATION, THR. ITS
SECRETARY, DR. CLAUDE ALVARE.,

... Applicant

Versus

MAMLATDAR OF PERNEM AND 10 ORS.,

... Respondents

Ms. Anamika Gode, Advocate for the Applicant.

Mr. Sagar Gurudas Dhargalkar, Addl. Government Advocate for
Respondent Nos.1 to 9.

Dr. Virendra Tulzapurkar, Senior Advocate with Mr. Amit
Jamsandekar, Mr. Sidhartha Srivastava, Mr. Abhijeet Kamat and
Mr. Pankaj Pai Vernekar, Advocates for Respondent No.11.

Coram:- S. C. GUPTE &
NUTAN D. SARDESSAI, JJ.

Date:- 28th June 2019

P.C.

The Misc. Civil Application is for bringing on record subsequent developments including an order passed by the Deputy Collector on the show cause notice issued to Respondent No.11. The subject matter of the controversy concerns the construction carried out on the lands described in the prayers. The issue involves the identity of the lands as khazan lands and agricultural tenanted lands. The order of the Deputy Collector, it is claimed, regularises so to say the structures existing on the property. For determination of the material controversy in the

present petition, it is therefore necessary to allow the amendment. The Misc. Civil Application is allowed. The amendment to be carried out within one week.

2. Learned counsel for Respondent No.11 submits that the reply filed by his client so far deals with only the preliminary aspect of the matter and, that he would like to place on record a detailed affidavit setting out various documents bearing on the subject matter of the controversy. Let such detailed reply to the amended petition be filed within three weeks after the amendment is carried out and a copy of the amended petition is served on Respondent No.11. Stand over to 2nd August, 2019.

NUTAN D. SARDESSAI, J.

S. C. GUPTE, J.

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