

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 884 OF 2018

SAKU @ JANKI B. NAIK AND ANR., ... Petitioners

Versus

SUYASINI VINAYAK MADKAIKAR AND 4
ORS., ... Respondents

Mr. Parag S. Rao, Advocate for the Petitioners.

Mr. Dhaval Damodar Zaveri, Advocate for the Respondent Nos.
1 to 4.

Coram:- C. V. BHADANG, J.

Date:- 27th February 2019

P.C.

Heard for some time.

2. Mr. Rao, the learned Counsel for the petitioners, on instructions, seeks leave to withdraw the petition as the petitioners intend to take recourse to a remedy under the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Mundkar Act, for short).

3. In such circumstances, the petition is disposed of as withdrawn, with no order as to costs. In the event, the petitioners take recourse to a remedy, if any, available in law, the learned Mamlatdar shall decide the same on its own merits and in accordance with the provisions of the Mundkar Act and to the

extent the Mamlatdar has exclusive jurisdiction to decide the issues under the Mundkars Act, the prima facie observations and findings of the Civil Court may not come in the way of the petitioners. The rival contentions of the parties are kept open.

C. V. BHADANG, J.

EV