

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 124 OF 2019

NAZARETH REBELLO, THR. HIS POA,
EVA REBELLO.,

... Petitioner

Versus

THE VILLAGE PANCHAYAT OF CANA
BENaulim, THR. ITS
SECRETARY/SARPANCH, BENaulim.,

... Respondent

Mr. Byron Rodrigues, Advocate for the Petitioner.
Mr. Anthony Joe D'silva, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 29th July, 2019

ORAL ORDER

Heard Mr. Rodrigues, the learned Counsel for the petitioner and Mr. Anthony D'Silva, the learned Counsel for the respondent. Perused record.

2. The petitioner is challenging the judgment and order dated 25.06.2018 passed by the learned District Judge in Civil Revision Application No.20 of 2017. By the impugned order, the Revision Application filed by the petitioner has been dismissed confirming the order dated 04.08.2017 passed by the learned Additional Director granting an intervention application by one Mr. Francisco Paulo Rebello.

4. At the outset, it is necessary to mention that Mr. Francisco Paulo Rebello has not been made a party-respondent in this petition nor was he a party-respondent before the revisional Court. It is thus difficult to see as to how an order, passed in favour of Francisco Rebello can be challenged behind his back.

5. The only contention raised on behalf of the petitioner is that now the property has been allotted in favour of the petitioner in an Inventory Proceeding. It is not necessary to go into this aspect as all that has been done by the learned Additional Director by the order dated 04.08.2017, is to allow the intervention. The substantive appeal in which the intervention is allowed is still pending before the Additional Director in which the petitioner can raise all such contentions as may be available to him on facts and in law.

6. With this, no case for interference is made out. The petition is dismissed with no order as to costs.

C. V. BHADANG, J.

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