

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 731 OF 2019**

1. Shri Umesh Ankush Parab,
major in age,
r/o Virnoda, Pernem Goa.
2. Ratikant Vishram Parab,
major in age,
r/o H. No.53/10,
Virnoda, Pernem Goa.
3. Chandrakant Gajanan Parab,
major in age,
H.No.115/C,
Virnoda, Pernem Goa.
4. Prakash Data Parab,
major in age,
r/o H.No.153/A,
Virnoda, Pernem Goa.
5. Navahari Sadhu Parab,
major in age,
r/o Virnoda, Pernem Goa.

... Petitioners

Versus

1. State of Goa,
Through the Chief Secretary,
Secretariat Complex,
Porvorim Goa.
2. Mamlatdar of Pernem,
Mamlatdar Building,
Pernem Goa.

3. The Mahajans of 2nd Vagod of
Shree Devi Santeri Panchayatan Devasthan,
Virnoda, Pernem Goa.
Through Dashrath Bhiku Parab. ... Respondents

Mr. Dharmanand R. Vernekar, Advocate for the Petitioners.

Mr. D. Pangam, Advocate General with Mr. Manish Salkar, Government Advocate for Respondent Nos.1 and 2.

Mr. S. S. Kantak, Senior Advocate with Mr. P. Talaulikar, Advocate for Respondent No.3.

**Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.
Date:- 28th August, 2019**

Oral Judgment (Per M. S. Sonak, J)

Heard Mr. Vernekar, learned counsel for the Petitioners.

2. Mr. D. Pangam, learned Advocate General appears alongwith Mr. M. Salkar, Government Advocate for Respondent Nos. 1 and 2 and Mr. S. S.Kantak, learned Senior Advocate appears alongwith Mr. P. Talaulikar for Respondent No.3.

3. Rule. Rule is made returnable forthwith with the consent and at the request of the learned counsel for the parties.

4. The challenge in this petition is to the order recorded in the Roznama dated 30.07.2019 maintained by the Mamlatdar in Case

No.MAM/PER/DEV/VIL/2018/2 instituted by Respondent No.3.

5. The aforesaid order has been made on the application lodged by the Petitioners seeking dropping of the proceedings.

6. From the perusal of the Roznama entry, we find that there are no reasons whatsoever stated in the order. The order simply states that the Authority dismisses the application filed by the Petitioners for dropping of the proceedings.

7. Since, the order contain no reason whatsoever, we quash the same without adverting to the issue of alternate remedy. We further direct the Mamlatdar to decide and dispose of the Petitioners' application for dropping of proceedings in accordance with law. This time, however, the Mamlatdar to pass a reasoned order in accordance with law and on its own merits.

8. With the aforesaid direction, this petition is disposed of. Further, we add that the Mamlatdar, before passing any order will afford opportunity of hearing to both the Petitioners as well as Respondent No.3.

9. The parties i.e. the Petitioners and Respondent No.3 to appear before the Mamlatdar on 17th September, 2019, which is even

otherwise the date fixed by the Mamlatdar for further appearance in the matter and file authenticated copy of this order. The Mamlatdar to dispose of the Petitioners' application for dropping of proceedings within three months from the said date.

10. The rule in this petition is disposed of in the aforesaid terms. There shall be no order as to costs.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

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