

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 840 OF 2017

MELWYN FERNANDES.,

... Petitioner

Versus

SECRETARY VILLAGE PANCHAYAT OF
ALDONA AND ANR.,

... Respondents

Mr. Ganesh R. Naik, Advocate for the Petitioner.

Coram:- C. V. BHADANG, J.

Date:- 3rd June 2019

P.C.

Heard Mr. Naik, the learned Counsel for the petitioner.

2. Indisputably, the petitioner has an alternate remedy to file a revision under Section 201-B of the Goa Panchayat Raj Act, 1994, before the learned District Judge.

3. The only contention raised on behalf of the petitioner is that although the petitioner is desirous of availing the said remedy, the petitioner was not a party before the learned Additional Director of Panchayat and that he may not be in a position to challenge the same.

4. In my considered view, the contention cannot be accepted.

Any person, although not a party, if aggrieved by an order passed by a Court or a quasi judicial authority, can challenge the same by seeking leave of the appellate revisional authority. In that view of the matter, the petition is disposed off with liberty to the petitioner to approach the District Judge under Section 201-B of The Goa Panchayat Raj Act, 1994, if so advised.

5. If such a revision application is filed, the learned District Judge, shall consider the applicability of the provisions of Section 5 read with Section 14 of the Limitation Act while entertaining the same, looking to the pendency of this petition from 12.09.2017. The learned District Judge shall also independently consider the question of grant of leave to file such a revision application if such leave is sought.

C. V. BHADANG, J.

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