

**IN THE HIGH COURT OF BOMBAY AT GOA**

WRIT PETITION NO. 212 OF 2019

DATTARAM T. NAYAK.,

... Petitioner

Versus

THE STATE OF GOA, THR. ITS CHIEF  
SECRETARY AND 2 ORS.,

... Respondents

Mr. Nigel Da Costa Frias, Advocate for the Petitioner.

Mr. Sudin Usgaonkar, Sr. Advocate with Ms. Tanvi Kamat,  
Advocate for Respondent No.2.

Mr. Dattaprasad Lawande, Advocate General with Mr. P.  
Dangui, Government Advocate for Respondent Nos. 1 and 3.

Coram:- R. D. DHANUKA &  
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 2nd April 2019

P.C.:

By this petition filed under Article 226 of the Constitution of India against the order dated 24.01.2018 passed by the learned Administrator of Devalyas and Mamlatdar of Ponda and various other references. By an order dated 19.04.2017 passed by this court in Writ Petition No. 730 of 2016 filed by the petitioner, against the State of Goa and Shree Ramnath Devasthan, this Court directed the Mamlatdar to examine the allegations made by the petitioner in various complaints against the managing committee. The Mamlatdar of Ponda Taluka and Administrator of Devalayas, Ponda, Goa has passed an order on 24.01.2018

dismissing the applications dated 26.04.2013, 16.11.2015 and 25.01.2016 having found no substance in those applications. Learned counsel Shri N. Costa Frias for the petitioner invited our attention to some of the observations made by the Mamlatdar of Ponda Taluka and Administrator of Devalayas, Ponda, Goa and submitted that the appointments of various members of the committee itself was illegal.

2. Mr. Usgaonkar, learned Senior Counsel for the Devashtan on the other hand invited our attention to various applications filed before the Mamlatdar of Ponda Taluka and Administrator of Devalayas, Ponda, Goa and would submit that out of the six members of the committee, four members were independent and had nothing to do with the office of the Devashtan. He further submits that the petitioner was also heard by the learned Mamlatdar before passing said order.

3. A perusal of the impugned order dated 24.01.2018 indicates that the petitioner was heard by the Mamlatdar of Ponda Taluka and Administrator of Devalayas, Ponda, Goa while passing the impugned order and the Mamlatdar has recorded detailed reasons and has considered the allegations made by the petitioner in various applications dated 26.04.2013, 16.11.2015 and 25.01.2016 and has rejected those applications having found no substance therein. The Mamlatdar also

observed that the applicant by application dated 30.07.2013 had withdrawn the earlier case and all complaints made by him.

4. The impugned order passed by the learned Mamlatdar is reasoned order which is passed after hearing the petitioner and after considering the facts. There is no perversity in the order. The petition is devoid of merits and is accordingly dismissed with no order as to costs.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.

MF/-