

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 970 OF 2019

DR. THOMAS PAUL D'SOUZA.,

... Petitioner

Versus

SURAJ K. GAD AND ANR.,

... Respondents.

Shri A. D. Bhobe, Advocate for the petitioner.

Mrs. A. Agni, Senior Advocate with Ms. J. Sawaikar, Advocate
for the respondents.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 5th December, 2019

P.C.

The petitioner is a landlord, and the respondents are the tenants. The petitioner-landlord applied to the Rent Controller under Section 30 of Goa, Daman and Diu Building (Lease, Rent and Eviction) Control Act, 1968, seeking the authority's leave to reconstruct the tenanted building.

2. On the other hand, the respondents-tenants have invoked Section 33(3) of the same Act. They seek Rent Controller's leave for repairing the building by themselves. Both the applications are pending, for the suit was filed very recently—in October 2019.

3. The landlord has filed this Writ Petition under Article 227 of the Constitution of India for a direction to the Rent controller to dispose of his application at the earliest.

4. Indeed, in response to the submissions made by the petitioner's counsel, the respondents' counsel has objected to this Court's directing the Rent Controller to dispose of the matter early. According to the tenants' counsel, the landlord applied to the Rent Controller just last month.

At any rate, since the rival applications are pending before the Rent Controller, the Authority will consider them, if possible, expeditiously, subject to the docket pressure the Rent Controller may have been facing.

5. The Writ Petition stands disposed of.

DAMA SESHADRI NAIDU, J.

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