

IN THE HIGH COURT OF BOMBAY AT GOA
MISCELLANEOUS CIVIL APPLICATION NO. 120 OF 2021
IN
WRIT PETITION NO.431 OF 2019

Michael Pinto

... **Applicant.**

V/s.

Suzan Pinto And 2 Ors

... **Respondents.**

Mr. M. Pinto, Advocate for the Applicant.

Coram: NITIN W. SAMBRE, J.

Date: 19th April 2021

P.C.:

This application is taken out by the petitioner to the writ petition No.431 of 2019 seeking a certificate under Article 132(1) and 134 A of the Constitution of India so as to enable him to prefer an appeal before the Apex Court, claiming involvement of substantial question of law on the ground that the Apex Court in the judgment of *Kranti Associates (P) Ltd. v. Masood Ahmed Khan*,¹ has taken a contrary view to the judgment of this Court in the matter of *Sopan Maruti Thopte v. Pune Municipal Corporation*², which is relied on in the judgment of this Court delivered on 08.03.2021 whilst deciding the writ petition.

¹(2010) 9 SCC 496

² 1996 AIR (Bom) 30

2. It is not in dispute that the authority, i.e. the respondents to the said judgment have already started acting on the directions given in the judgment dated 08.03.2021.

3. Apart from above, the factum is that the judgment that is relied on for the purpose of seeking certificate was not at all cited before this Court during the course of hearings.

4. Having gone through the judgment delivered in this Writ Petition on 08.03.2021, I hardly notice involvement of any question of law as to the interpretation of constitution.

5. In that view of the matter, the prayer stands refused/rejected.

NITIN W. SAMBRE, J

msr.