

Assumpta

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.49 OF 2021

IN

WRIT PETITION NO. 1036 OF 2021 F

1. MR. RATNAKAR H. NAIK,
Aged about 56 years, Indian National
and residing at H. No.42,
Dhondebhat Neura, Tiswadi-Goa.
2. MR. TIMNO ROOPA GAUDE,
Aged about 71 years, Indian National
and residing at H. No.1613,
Adanwada, Madkai, Ponda, Goa. ... Applicants.

Versus

1. STATE OF GOA,
Through its Chief Secretary,
Secretariat, Porvorim, Goa.
2. THE COLLECTOR NORTH GOA
DISTRICT,
Government of Goa,
Collectorate Building,
Panaji, Goa.
3. THE MAMLATDAR,
Tiswadi Taluka,
Government of Goa,
Having Office at Collectorate
Building, Ground Floor,
Panaji, Goa.
4. MR. GANESH RAMA NAIK,
Resident of Dongrim, Mandur,
Tiswadi, Goa.
5. SHRI. RAVIKANT NAIK,

Resident of House No.42,
Neurawada, Near Mahalaxmi Temple,
Neura, Tiswadi, Goa.

6. MR. BHIKARO L. MADKAIKAR,
Resident of Gudiwada, Neura,
Tiswadi, Goa.

7. MR. EKNATH K. NAIK,
Resident of Dongrim, Mandur,
Tiswadi, Goa.

8. MR. KANTA NAIK,
Resident of Gudiwada, Neura,
Tiswadi, Goa.

9. THE NEURA-O-GRAND TENANTS
ASSOCIATION,
having Office at Neura,
Tiswadi, Goa.

... Respondents.

Mr. Deepak Gaonkar, Learned Advocate for the Applicants.

Mr. Deep D. Shirodkar, Additional Government Advocate for the
Respondents no.1, 2, 3, 7 and 8.

Mr. Arjun F. Naik, Learned Advocate for the Respondents no.4, 5, 6 and
9.

**CORAM : SMT. SADHANA S. JADHAV &
REVATI MOHITE DERE, JJ**

Date: 21st December, 2021.

ORAL ORDER :

1. Prayer Clause 'a' in the present application is rendered infructuous in view of the fact that the auction proceedings were held from 9.30 a.m. and have concluded as per the earlier Notification.

2. The Learned Counsel for the respondents have submitted that the apprehension of the applicants that the auction money would be misappropriated is unwarranted and unfounded. As per the Rules, the said amount is deposited in the joint account of the Association and the Mamlatdar. There are cheques and balances and therefore, it is not necessary to consider Prayer Clause 'b', which is also rendered infructuous.

3. Hence, the application stands disposed off.

4. The Affidavit filed by the respondents no.4 to 9 is taken on record.

REVATI MOHITE DERE, J. SMT. SADHANA S. JADHAV