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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1108 OF 2019.

SATCHIT SHRIDHAR NAYAK., ... Petitioner.

VS

VILLAGE PANCHAYAT OF
ANJUNA CAISUA, THR. ITS
SECRETARY/SARPANCH
AND ANR.,

... Respondents.

Ms. S. Desai, Advocate for the petitioner.

Mr. A. Bhobe, Advocate for the respondent no.1.

Mr. P. Dangui, Advocate for the respondent no.2.

CORAM: MANISH PITALE, JJ.

DATED: 12th January 2022.

P.C:

1. By this Writ Petition, the petitioner has challenged order dated 29.11.2019 passed by the District Court, Mapusa, whereby interim stay was granted in favour of the respondent no. 2.
2. The principal grievance raised in this petition is that despite a caveat having been filed on behalf of the petitioner, the District Court proceeded to consider the payer for interim relief and granted interim relief in the absence of the caveator, by a cryptic order.
3. On 18.12.2019, this Court considered the question of law arising for consideration in the present petition and while issuing notice granted stay of the impugned order passed by the District Court.
4. As a consequence, subsequently by order dated 23.11.2021, this

Court clarified that the District Court could decide the revision application finally, since this Court had stayed the impugned order passed by the District Court. In fact, in the said order dated 23.11.2021, this Court directed the District Court to take up the Civil Revision Application no.39/2019 for consideration expeditiously and to dispose of the same within a period of three months from the date of receipt of the order.

5. Today when the Writ Petition is called out for hearing, this Court is informed that District Court is proceeding with the hearing of the Civil Revision Application.

6. Considering the fact that the aforesaid direction has been granted in the order dated 23.11.2021 by this Court and the hearing of the revision application is proceeding before the District Court, this Court is of the opinion that the question of law, which was adverted to in the order dated 18.12.2019 passed by this Court, could be kept open for consideration in an appropriate case and the present Writ Petition could be disposed of by giving an outer limit to the District Court to dispose of the pending Civil Revision Application.

7. In view of the above, the Writ Petition is disposed of by keeping open the aforesaid question of law for consideration in an appropriate case. The District Court is directed to dispose of the Civil

Revision Application No. 39/2019, on or before 28.2.2022.

MANISH PITALE, J.