

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 511/2023**

MILIND SURENDRA LAWANDE Petitioner.

Versus

STATE OF GOA THR ITS CHIEF
SECRETARY AND 3 ORS Respondents.

Mr S.S. Kantak, Senior Advocate with Ms Neha Kholkar,
Advocate for the Petitioner.

Mr Manish Salkar, Government Advocate for Respondents
No.1, 2 and 3.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED : 13TH SEPTEMBER 2023

P.C. :

1. Heard Mr S.S. Kantak, learned Senior Advocate, who appears along with Ms Neha Kholkar, for the Petitioner and Mr Manish Salkar, learned Government Advocate for Respondents No.1 to 3.

2. The challenge in this Petition is to the remark of the Sub-Registrar of Bicholim or rather insistence on the part of the Sub-Registrar of Bicholim that the Petitioner obtains a final no objection certificate/sub-divisional approval from Sanqueli Municipal Council to register the deed of gift under pre-registration no.202300046636.

3. Today, Mr Salkar, learned Government Advocate, has placed on record an order dated 28th March 2018 made by the

Chief Town Planner (Planning). Based on instructions, he makes a statement that considering the clarification contained in the order dated 28th March 2018 and the fact that the Petitioner has already produced the NOC for final sub-division of land dated 12/12/2022 (Exhibit-F, pages 31-33 of the paper book), the Sub-Registrar of Bicholim will not insist upon the Petitioner obtaining any final no objection certificate/sub-divisional approval from Sanqueli Municipal Council to register the deed of gift under pre-registration no.202300046636.

4. Accordingly, Mr Salkar's statement made on behalf of the Sub-Registrar of Bicholim Taluka, is accepted and the Sub-Registrar is directed to register the Petitioner's gift deed under pre-registration no.202300046636, without insisting upon any final no objection certificate/sub-divisional approval from Sanqueli Municipal Council. This direction is subject to the Petitioner complying with all other requirements/formalities.

5. The Sub-Registrar should, subject to the Petitioner complying with other formalities/requirements, register the gift deed under pre-registration no.202300046636 as expeditiously as possible and, in any case, within a month of its re-presentation.

6. The Petition is disposed of in the above terms and the above directions.

7. All concerned to act on an authenticated copy of this order.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.