

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION (REVIEW) NO. 18 OF 2019
IN
WRIT PETITION NO.274 OF 2019

GULABI SOMDAS NAIK. ... Petitioner

Versus

SANTANHINHA BARRETO ... Respondents
(DEC) THR. HER LRS.,

Mr. J. A. Lobo, Advocate for the Petitioner.

CORAM: M. S. SONAK, J.

DATED : 9th MARCH 2023

P.C.:

1. Heard Mr. J. A. Lobo, learned counsel for the Petitioner.
2. Mr. Lobo contends that there is an error apparent on the face of the record in the order dated 09.07.2019 made by the Hon'ble Justice C. V. Bhadang, J while allowing the Writ Petition No. 274 of 2019. He submits that the Rent Control Act and Rules made therein contemplate special procedure for the execution of eviction orders. He submits that this procedure was never followed and therefore, the executing Court had ordered an inquiry against the bailiff. He submits that this Court by relying on the provisions of the Civil Procedure Code has set aside the direction for inquiry into the conduct of the

bailiff. He submits that this amounts to an error apparent on the face of the record.

3. The contention now raised by Mr Lobo, was precisely raised before the Court. The contention was considered and rejected. The Court has given reasons why the direction for the inquiry was interfered with. Considering the limited scope of review jurisdiction based on the ground now urged no case is made out for review.

4. Accordingly, the review petition is dismissed. There shall be no order for costs.

M. S. SONAK, J.

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