

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.628 OF 2022

ESPERDIAO JOSE SIMAO
LOBO

... PETITIONER

Versus

STATE THR. CHIEF
SECRETARY AND ANR.

... RESPONDENTS

Mr. Rohit Pednekar, Advocate for the Petitioner.

Mr. Geetesh Shetye, Additional Government Advocate for the Respondents.

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

DATE : 7th FEBRUARY 2023

ORAL ORDER :

1. Heard Mr. Rohit Pednekar for the petitioner.
2. The petitioner seeks a direction to the Registrar of Births and Deaths to correct the names of his parents in the Death Certificate.
3. The Registrar had given notice to the legal representatives of the persons whose names were sought to be corrected. These persons have raised objections to such course. They have pointed out that Inventory Proceedings are pending.

4. In the above circumstances, it would not be appropriate for us to entertain this petition particularly because the petitioner did not even bother to implead the objectors as parties. Besides, adjudication into such objections would involve disputed questions of fact. Such adjudication might even involve affecting the property rights of the parties. Considering the above circumstances, we are disinclined to entertain this petition but at the same time we clarify that since we have not gone into the merits of the matter, it will be open to the petitioner, if he is so advised, to file a suit or take out other appropriate proceedings as are permissible under the law for obtaining the relief that he now seeks in the petition.

5. With the above observations and liberty, we dismiss this petition. There shall be no order for costs.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

NITI K
HALDANKAR

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