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IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.86 OF 2024

IN

WRIT PETITION NO.630 OF 2016

SHRINIVAS VITHAL NAIK GAONKAR

... APPLICANT

Versus

SADANAND APA KAMBLI

... RESPONDENT

Mr V.A. Lawande with Mr Parimal Redkar, Advocates for the Applicant.

Mr Nilesh Shirodkar, Advocate for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 27th September, 2024

P.C.:

1. Heard Mr V.A. Lawande for the Applicant and Mr Nilesh Shirodkar for the Respondent.

2. The application is vehemently opposed by the Respondent/Petitioner in Writ Petition No.630/2016 mainly on the ground that the Applicant/Intervenor has not been a party to any of the proceedings before the Director of Panchayats or to the Revisional Court i.e. District Court, North Goa.

3. As a matter of fact, the Applicant has clearly made out a case of being the co-owner of the property under Survey No.7/5 of Village

Bandora in which the house which is subject matter of demolition challenged in the Writ Petition is situated. It is also not in dispute that the Petitioner had claimed to be a Mundkar of the very same house which is subject matter of the order of demolition and such claim was instituted before the Mamlatdar of Ponda inter alia against the Applicant as a Bhatkar.

4. In this view of the matter, the Applicant has a direct interest in the property under Survey No.7/5 and is therefore required to be impleaded as a party Respondent to the petition. The application is allowed.

5. The Petitioner shall carry out amendment to the cause title of the Writ Petition impleading the Applicant as Respondent No.3 in the petition. Amendment to be carried out forthwith.

6. Application is disposed of.

VALMIKI MENEZES, J.