



1 S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.187 OF 2024

Sandhya Suresh Karalkar

...Petitioner

Versus

The Block Development Officer (Taluka
Tiswadi) And 6 Ors.

...Respondents

Mr S. D. Padiyar, Senior Advocate *with Mr Mahesh S. Raikar,*
Advocate for the Petitioner.

Ms Akshata Bhat, Additional Government Advocate *for respondent*
Nos.1, 4, 5 and 6.

Mr Dinesh E. Naik, Advocate *for respondent No.7.*

CORAM: M. S. KARNIK &
VALMIKI MENEZES ,JJ.

DATE: 22nd October, 2024

P.C.

Heard learned Senior Counsel, Mr S. D. Padiyar for the petitioner.

2. The grievance of the petitioner is that the impugned order is passed by an Officer other than the one who had heard the matter. Such an exercise is contrary to the principles of natural justice. Though learned Counsel for respondents no.2 and 3 and respondent no.7 oppose the petition contending that there is alternate remedy available, however, in the facts of the present case, we are satisfied that as the impugned order is in breach of

the principles of natural justice as can be seen on the face of the record, we are inclined to set aside the impugned order.

3. The impugned order is set aside. The matter is remitted back to the Block Development Officer (Taluka Tiswadi), Panaji, for fresh hearing in accordance with law. The parties to appear before the Block Development Officer on 12.11.2024 at 11:00AM where further schedule of the hearing will be fixed. The Block Development Officer to decide the case within a period of four weeks from 12.11.2024. The Block Development Officer need not issue fresh notice to the parties to this petition.

4. All contentions are kept open. We have not expressed any opinion on the merits of the case.

5. The petition is disposed of. No costs.

VALMIKI MENEZES, J.

M. S. KARNIK, J.