

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.328 OF 2024

PANDURANG DAMODAR KAMAT

... PETITIONER

Versus

GEORGE VEERAMPULLY

... RESPONDENT

Mr. R.G. Ramani, Senior Counsel with Mr. Pranav Shenvi Kakodkar,
Advocate for the Petitioner.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 4th April, 2024

P.C.

1. Heard learned Senior Counsel Mr. Ramani along with Mr. P. Kakodkar, learned counsel appearing for the Petitioner.

2. The petition challenges the order passed by the Court of Civil Judge Junior Division at Vasco dated 15.10.2015 directing to hold an inquiry in connection with the relationship of landlord and tenant. The Petitioner filed a revision before the Appellate Tribunal which was disposed of on 23.01.2024 thereby confirming the order of the learned Rent Controller.

3. Mr. Ramani would submit that the scope of Section 35 of the Goa Daman and Diu Buildings (Lease, Rent and Eviction) Control Act 1968 is limited and the inquiry is to find out whether there is any material to show that the essential supply or services are cut off. He

submits that the Rent Controller is not entitled to carry out/conduct any inquiry when the relationship of the landlord and tenant is disputed and more particularly to find whether such a relationship exists.

4. Issue notice to the Respondent returnable on 08.05.2024.

5. Apart from regular service, service by other permissible mode is granted.

6. In the meantime, the proceedings before the Rent Controller/Civil Court at Vasco are stayed.

BHARAT P. DESHPANDE, J.