



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.485 OF 2023

CLARINA CARDOZO AND 2 ORS

... PETITIONERS

Versus

OFFICE OF THE ASSISTANT ENGINEER,
SUB DIVISION II, WORKS DIVISION XXV
(ROADS) PWD, QUEPEM AND 25 ORS

... RESPONDENTS

Mr. C. Padgaonkar with Ms. Vaishali K. Mahato, Advocates for the
Petitioners.

CORAM:- VALMIKI MENEZES, J.

DATED :- 25th June, 2025

P.C.:

1. Perused the impugned order. The Tribunal has considered the scope of Section 114 of the Land Revenue Code and rightly arrived at the conclusion that this is only a demarcation proceeding, which would be ultimately subject to the outcome of the suit, which is pending before the District Court, South Goa. It has considered the consequence of the reliefs that may be granted by the Civil Court under Sections 34, 38, and 39 of the Specific Relief Act and specifically noted in paragraph No.17 that demarcation would be subject to the rights of the parties determined in the Civil case.

2. There is no scope for interference in the impugned order and

Judgment dated 15.04.2021, which confirms the order of the Collector dated 18.11.2019, in the supervisory jurisdiction of this Court under Article 227 of the Constitution of India. These are only revenue proceedings for demarcation which do not conclusively determine the rights of the parties in the demarcation proceedings. The demarcation order will be ultimately subject to the outcome of Special Civil Suit No. 28/2019, pending adjudication before the District Court at Margao, provided the subject matter of the Civil Suit is the very same property sought to be demarcated i.e. Survey No. 18/12-B and 18/12-C of village Xeldem.

3. The Writ Petition is dismissed in limine. No order as to cost.

VALMIKI MENEZES, J.