



Jose

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.45 OF 2025

ANUSUYA GANA NAIK (SINCE DECEASED
THR. HER LRS) AND ANR
Versus
ASHWINI ASHOK NAIK

... PETITIONERS
... RESPONDENT

Mr Preetam Talaulikar, Advocate for the Petitioners.

CORAM:- VALMIKI MENEZES, J.

DATED :- 29th January, 2025

P.C.:

1. After hearing the matter for some time, learned Advocate for the Petitioner seeks leave to withdraw this petition; he, however, submits that the Petitioner has an apprehension that any mutation that may be carried out on the force of the original order of the Collector dated 03.02.2021 or on the force of a mutation being carried out of the names of the vendors under Sale Deed dated 05.09.2015 may affect his right as agitated in Tenancy Application Nos. B1/MAM/TNC/DECL/22/2017 and JM1/TNC/DECL/14/2017 pending before the Mamlatdar at Quepem.

2. From the nature of a mutation proceeding, it is clear that under provisions of the Land Revenue Code, the rights of the tenant, if proved in a tenancy application, would not be affected. It is, thus,

clarified that any mutation carried out, will be ultimately subject to the outcome of the result in the aforementioned tenancy proceedings. With this clarification, the petition is dismissed as withdrawn.

VALMIKI MENEZES, J.