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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.487 OF 2025

Smt. Preeti alias Priti Subhash Pangam,
w/o Shri. Subhash Jagdev Pangam,
Age: 69 years Businesswomen,
Indian National, Resident of
H. No. 951 – Gokulwadi,
Pangam Niwas, Near Radhakrishan Theater,
Sanquelim, Taluka Bicholim, Goa.

... Petitioner.

Versus

1. Shri Jagdev Rajaram Pangam (Deceased)
2. Smt. Kamlabai Jagdev Pangam (Deceased)
3. Shri Subhash Jagdev Pangam
s/o Late Jagdev Rajaram Pangam
Since Deceased through his Lrs)
- 3(a) Shri Sagar Subhash Pangam,
Son of late Shri Subhash Pangam,
Unmarried, 40 years, Businessman
- 3(b) Smt. Sugandha Subhash Pangam,
d/o Late Shri Subhash J. Pangam
unmarried, age 44 years, Indian National
Both resident of H. No. 951, Near
Radhakrishna Theatre, Sankhli, Goa.
4. Shri Datta Jagdev Pangam (Deceased)
Through his legal heirs
- 4(a) Mr. Gaurish Datta Pangam

s/o. Datta Jagdev Pangam
38 years of age, married, service,
Indian National,

4(b) Mrs. Sneha Gaurish Pangam
w/o. Gaurish Datta Pangam
33 years of age, married,
Housewife, Indian National,

4(c) Mr. Vaibhav Datta Pangam,
s/o Datta Jagdev Pangam,
36 years of age, married,
Service, Indian National.

4(d) Mrs. Nimisha Vaibhav Pangam
w/o Vaibhav Datta Pangam,
32 years of age, married, service,
Indian National,
All R/o. H. No. 3/46 H, Dattadeep,
Karaswada, Mapusa – Goa

5. Smt Dipa @ Sugandha Datta Pangam
(Deceased)

6. Shri. Rajendra Jagdev Pangam
s/o Late Jagdev Pangam
Age: 68 years of age, in service,
and his wife

7. Smt. Sudha @ Radhika Rajendra Pangam,
D/o Radhakrishna Kande, Age 63 years,
house wife, both residing at present
Shanta Durga, Housing Society,
Flat No. 6, Super Market, Ponda Goa.
R/o Flat No. 6,
Shantadurga Housing Society,

Supermarket, Ponda, Goa.

8. Shri Santosh Jagdev Pangam, (Deceased)
s/o late Jagdev Rajaram Pangam,
through his legal heirs

8(a) Smt. Sonal Santosh Pangam
alias Sonal Kush Kubal
D/o late Santosh Jagdev Pangam,
Age 35 years, R/o H.No.145,
Madlawada, Sal Goa, Taluka
Bicholim Goa.

8(b) Mr. Kush Gangadhar Kubal
S/o. Gangadhar Kubale, Age 41 years,
R/o H.No.145, Madlawada, Sal Goa,
Taluka Bicholim Goa.

8(c) Shri Soham Santosh Pangam
S/o late Santosh Jagdev Pangam,
Age 30 Years,
Resident of Pallavi Classic Bldg,
2nd floor, Near Health Center, Gokulwadi,
Sanquelim Goa Taluka Bicholim – Goa.

9. Smt Sushma Santosh Pangam,
w/o Santosh Pangam,
Age 60 years,
Resident of Pallavi Classic Bldg,
2nd floor, Near Health Center, Gokulwadi,
Sanquelim Goa, Taluka Bicholim Goa.

10. Shri Jayant Pangam (Deceased)
Since deceased through
His legal heirs

10(a) Shri Sunny Jayant Pangam,
S/o Late Shri Jayant J. Pangam,
Age 30 years, resident of Natekar Building,
1st Floor, Opposite to Housing Board colony,
Mahamaya Nagar, Bordem, Bicholim – Goa.

11. Smt Smita Jayant Pangam,
Wife of Jayant Jagdev Pangam, 58 years,
resident of Natekar Building,
1st Floor, Opposite to Housing Board colony,
Mahamaya Nagar, Bordem,
Bicholim Goa.

... Respondents.

Ms. Priyanka Kamat, Advocate for the Petitioner.

Mr. Sachin Desai with Ms. Prachi Sawant, Advocate for the
Respondent Nos.4(a), 4(b), 4(c), 4(d), 6, 8(c) and 9.

Mr. Laxman Pednekar, Advocate for Respondent Nos. 10(a)
and 11.

CORAM: VALMIKI MENEZES, J.

DATED: 8th December, 2025

ORAL JUDGMENT:

1. Registry to waive office objections and register the matter.
2. Rule made returnable forthwith. With the consent of the parties, petition is disposed of finally.
3. The order impugned in this petition is an order of 06.08.2025 passed by the Court of the Civil Judge Junior Division at Bicholim in Inventory Proceedings No.133/2012/B. By the impugned order, the

Inventory Court has dropped the Inventory Proceedings solely on the ground that after removal of the Head of Family (Rajendra Pangam, Respondent No.6 herein), by an order of the same date, none of the other interested parties who were present before the Court on that date volunteered to act as the Head of Family.

4. The record reveals that on 06.08.2025, the Inventory Court exercised powers under Section 384 of The Goa Succession, Special Notaries and Inventory Proceeding Act, 2012 (the Act) and removed the Head of Family earlier appointed by it (Respondent No.6 herein) for failing to remain present before the Court and for failing to take necessary steps in the Inventory Proceedings. On the very same day, the Court enquired with the other interested parties as to whether any of them would volunteer to take up the appointment of Head of Family, and on none of them so volunteering, the Court dropped the Inventory Proceedings.

5. Under Section 376 of the Act, when an Inventory Proceeding is filed, the Court is required to hold an inquiry and decide who should be appointed as the Head of Family, to whom oath is to be administered, to discharge duties assigned to the Head of Family under the Act. Whilst conducting the inquiry, it is required to consider the provisions of Section 247 of the Act wherein the order of priority in appointment be specified. In the present case, the Inventory Court has proceeded as if the appointment is voluntary

instead of conducting an inquiry after removal of Respondent No.6 as the Head of Family, and giving due weightage to the order of priority and under Section 247 ought to have specifically appointed the Head of Family. This could be even more so in matters where Inventory Proceedings are required to be compulsorily conducted in cases where the heirs are minors. This is not a matter of a party volunteering to be the Head of Family, but is a matter for the Court to pass specific orders appointing such a person. The office of the Head of Family does not automatically devolve on someone who is an interested party unless there is a specific order of appointment under Section 376 of the Act, after taking into consideration the priority specified under Section 247 of the Act.

6. Consequently, the impugned order, being contrary to the aforementioned provisions, is quashed and set aside. The Inventory Proceedings No. 133/2012/B is restored to the file of the Civil Judge Junior Division at Bicholim.

7. At this juncture, learned Advocate Mr. Sachin Desai for Respondent Nos. 4, 6, 8 and 9 contends that Respondent No.6 would challenge the order dated 06.08.2025 of his removal from the post of Head of Family; he further submits that such an appeal would be filed before the District Court within two weeks from today. If such appeal, subject to limitation, is in fact lodged with the District Court and decided, the Inventory Court, which shall now proceed to appoint the

Head of Family in terms of the aforesaid provisions, may also take into consideration, if the order dated 06.08.2025 is set aside by the District Court, the eligibility of the Respondent No.6 to be reappointed or continue in office.

8. With these observations, Rule is made absolute in terms of prayer clause (a) of the petition.

9. Parties to appear before the Inventory Court on 05.01.2026 at 2:30 p.m.

VALMIKI MENEZES, J.