

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12772 OF 2024

Upendrakumar Mohanlal

....Petitioner

Versus

The Enquiry Officer, City Survey, Diu & Ors.

....Respondents

Mr. Nishant Sangle, for Petitioner.

Smt. D. S. Deshmukh, AGP for State.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 22, 2026

ORDER :

1. Having heard Learned Counsel for the parties, and taking into account the detailed reasoning sought to be provided in defence of the Impugned Order, it would be appropriate to enable the Petitioner to deal with the various reasons expressed in Court today by Learned Counsel for the Respondents in defence of the Impugned Order.
2. Multiple questions of fact are involved and these need to be dealt with in more detail than what is contended in the Impugned Order.
3. A list of dates and the note tendered on behalf of the Respondents are taken on record. The Petitioner shall deal with the

contents of the same in a detailed written statement to the Respondents, who shall deal with these facets in a detailed reasoned order.

4. In these circumstances, without burdening this order with further reasoning, and by consent of the parties, the aforesaid approach is being adopted. The Petitioner shall provide a detailed written submission in response to the written submissions made by the Respondents today in Court, within a period of four weeks from the upload of this order on the website of this Court.

5. The Respondents shall endeavour to deal with the same within a period of 12 weeks from the receipt of such submissions.

6. It is made clear that since detailed questions of fact and mixed questions of fact and law are involved and a provision for appeal is available under Section 188(1)(c) of the Goa, Daman and Diu Land Revenue Code, 1968, should the Petitioner be further aggrieved by the outcome of the decision, the Petitioner may take recourse to the appeal proceedings, unless, of course, invocation of the extraordinary Writ Jurisdiction is warranted.

7. Meanwhile, the parties shall maintain *status quo* obtaining as of today. The *status quo* shall continue for a further period of two weeks

from the disposal of the case afresh by the Collector, should the outcome be adverse to the Petitioner.

8. With the aforesaid discussion, this Petition is hereby ***finally disposed of.***

9. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]