

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA***STM-1606-2020***

Nagraj Avadhan.

..... Petitioner.

Versus

State of Goa & ors.

..... Respondents.

Mr. M.B. De Costa, Senior Advocate with Ms. Karishma Betquecar,
Advocate for the Petitioner.

Mr. P. Arolkar, Additional Government Advocate for Respondents
No. 1 to 3.

***Coram : M.S. Sonak &
Smt. M.S. Jawalkar, JJ.***

Date : 3rd November, 2020.

P.C. :-

Heard Mr. M. B. De Costa, learned Senior Advocate, along with Ms. Karishma Betquecar for the Petitioner. Mr. Arolkar appears for Respondents No.1 to 3.

2. Mr. De Costa states that private service was effected upon Respondent No.4. However, today we find that none appears on behalf of Respondent No.4.

3. Mr. De Costa points out that the entry has been effected without notice to the Petitioner. Further, there is an apprehension that the Petitioner will be dispossessed by the Custodian on the basis

- Corrected as
Per order of
14/12/2020
in STM No
1606/2020

8/10/2020²

of the order dated 8/10/2020

4. Accordingly, we grant ad interim relief in terms of prayer clause (c) of this Petition, which reads as follows :

“(c) Pending the hearing and final disposal of the petition, to issue an injunction restraining the Respondents from acting in furtherance or in pursuance of or implementing the said correction and mutation No.23026 and the certificate and order referred to in the mutation order dated 8/10/2020.”

5. The Petitioner to take steps to serve Respondent No.4. In addition to the usual mode of service, private service is permitted. Returnable date shall now be 14/12/2020.

6. In case, any of the Respondents wish to file any response, they may do so before 10th December, 2020, by furnishing advance copy to the learned Counsel for the Petitioner. Liberty is granted to the Petitioner to file rejoinder, if he so wishes.

Smt. M.S. Jawaikar, J.

M.S. Sonak, J.