

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 80 OF 2020

Ramnath Mahadev Sawant
67 years of age, married,
retired teacher, resident of House no.680,
Chawdewada Parse,
Parcem, Pernem, Goa.

..... Petitioner

V e r s u s

1. State of Goa,
through its Chief Secretary,
Secretariat, Porvorim,
Bardez, Goa.
2. Village Panchayat of Parsem,
through its Secretary,
Village Panchayat of Parcem,
Pernem, Goa.
3. The Director of Panchayats
Directorate of Panchayat
3rd floor, Junta House,
Panaji, Goa.
4. Shri Sakharam Mahadev Palni,
resident of Chawdewada,
Parse, Pernem, Goa.

..... Respondents

Mr. Abhijit Gosavi, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional
Government Advocate for the Respondent nos. 1 and 3.

Mr. Salil Saudagar, Advocate for the Respondent no.2.

Mr. Clayton Fonseca, Advocate for the Respondent no.4.

Coram :- M. S. SONAK &
M. S. JAWALKAR, JJ.

Date : 14th July, 2020

ORAL JUDGMENT

1. Heard Mr. Gosavi, the learned Counsel for the petitioner, Mr. D. Pangam, the learned Advocate General for the respondent no.1 and 3, Mr. Salil Saudagar, the learned Counsel for the respondent no.2 and Mr. C. Fonseca, the learned Counsel for the respondent no.4.

2. Rule. With the consent of and at the request of the learned Counsel for the parties, this petition is disposed off by directing the Director of Panchayat to dispose off Panchayat Appeal no. 112 of 2020 and/or the application for interim relief made therein as expeditiously as possible and, in any case, on or before 28th July, 2020.

3. Mr. Gosavi, the learned Counsel for the petitioner, Mr. Saudagar, the learned Counsel for the Panchayat and Mr. C. Fonseca, the learned Counsel for the respondent no.4, state that they will remain present before the Director of Panchayat on ~~28th July, 2020~~ ^{21st July, 2020} at 11.00 a.m. They state that the parties, whom they represent, will comply with the necessary guidelines prescribed by the Government for attendance before the quasi judicial authorities.

4. The learned Advocate General states that the Director of Panchayat will hear the parties on the said date and then dispose off the matter one way or the other by 28th July, 2020. If, for any reason, the final disposal is not possible on that date, the Director of Panchayat will make appropriate interim orders in the matter. However, according to us, it will be better if the Director of Panchayat endeavors to dispose off the appeal finally by 28th July, 2020.

5. We make it clear that we have not gone into the merits of the matter and, therefore, all contentions of all parties are expressly left open for the

determination by the Director of Panchayat. The parties are given liberty to file additional pleadings and to place additional material before the Director of Panchayat latest by 17th July, 2020.

6. Mr. C. Fonseca, the learned Advocate, graciously states that the respondent no.4, whom he represents, has no objection to implead the petitioner as respondent in the appeal instituted by respondent no.4 before the Director of Panchayat. Accordingly, in order to save time, leave to amend is granted and the petitioner is deemed to be a party to the proceedings before the Director of Panchayat in Panchayat Appeal No.112 of 2020.

7. Mr. Gosavi, Mr. Fonseca and Mr. Saudagar, the learned Advocates, assure this Court that the submissions of the parties whom they represent or the lawyer who will appear before the Director of Panchayat, will be quite brief now that orders are issued for expedition. They state that if necessary, on ~~20th July, 2020~~ ^{21st July, 2020} itself, they will file brief written summary of their arguments. These statements are accepted and appreciated.

8. Rule is disposed off in the aforesaid terms. There shall be no order as to costs.

9. All concerned to act on the basis of an authenticated copy of this order.

M. S. JAWALKAR

M. S. SONAK, J.

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