

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-280/2020**

Sadhu Lumu Kholkar ... Petitioner

Versus

State of Goa and others ... Respondents

Mr. Rohit Bras D'Sa with Ms. V. Shet, Advocates for the petitioner.

Mr. D. Pangam, Advocate General along with Ms. A. Kamat,
Additional Government Advocate for Respondent No.1 to 3.Mr. S. S. Kantak, Senior Advocate along with Mr. Arjun Naik for
Respondent No.4.**AND****LD-VC-CW-281/2020**

Bharat Fotu Naik and others ... Petitioners

Versus

State of Goa and others ... Respondents

Mr. Nigel de Costa Frias, Advocates for the petitioner.

Mr. D. Pangam, Advocate General along with Ms. A. Kamat,
Additional Government Advocate for Respondent No.1 and 2.Mr. S. S. Kantak, Senior Advocate along with Mr. Arjun Naik for
Respondent No.3.**AND**

LD-VC-OCW-160/2020
IN
LD-VC-CW-256/2020

Domingo D'mello and another ... Applicants

Versus

State of Goa and others ... Respondent

Mr. Prasheen Lotlikar, Advocate for the applicants.

Mr. D. Pangam, Advocate General along with Ms. A. Kamat,
Additional Government Advocate for Respondent No.1 to 7.

Mr. S. S. Kantak, Senior Advocate along with Mr. Arjun Naik for
Respondent No.8.

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

Date:- 19th October, 2020

P. C.:

Heard learned counsel for the parties in the respective matters.

2. In some of these matters, we had already refused interim relief for stay of elections. Today, there is again a request for stay of elections which are scheduled tomorrow. The grievance of the petitioners/

applicants is that several voters have already expired and despite directions, no steps were taken to bring the legal representatives of such voters on record. It is pointed out that it is the legal representatives who will now have the right to vote. Mr. Costa Frias points out that from the voters' list of 280, almost 200 voters have expired.

3. According to us, the elections, which are to be held tomorrow, are not to be stayed. However, once again we make it clear that the results of such elections will be subject to further orders in this petition.

4. The respondents, without further delay, to file their response to the issue in this petition positively by 06.11.2020 and furnish copies of such response to the learned counsel appearing for the petitioners. If the petitioners wish to file any rejoinder, they may do so before the next date which will be 24.11.2020. The copies of the rejoinders to be served upon the learned counsel for the respondents latest by 20.11.2020.

5. Learned counsel for the parties agree that there is no remedy by way of election petition, which is provided in the statute, which governs such elections. Therefore, if need be, we may have to ourselves examine the grievances of the petitioners.

6. Stand over to 24.11.2020.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

ss*