

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-359-2020**

Sujay S. Lotlikar ... Petitioner

Versus

State of Goa & Ors. ... Respondents

Mr. D. Lawande and Mr. Jay Mathew, Advocates for the petitioner.

Mr. D. Pangam, Advocate General along with Ms. Maria Correia,
Additional Government Advocate for Respondents No.1 and 2.

Mr. S. N. Joshi, Advocate for Respondent No.3.

AND**LD-VC-CW-362-2020**

Damodar B. Shirodkar ... Petitioner

Versus

State of Goa & Ors. ... Respondents

Mr. C. A. Fereira with Mr. Dhawal Zaveri, Advocates for the petitioner.

Mr. D. Pangam, Advocate General along with Ms. Maria Correia,
Additional Government Advocate for the State.

Mr. S. N. Joshi, Advocate for Respondent No.3.

***Coram : DIPANKAR DATTA, CJ. &
M. S. SONAK, J.***

Date:- 21st December, 2020

ORAL ORDER (Per M.S. Sonak, J.)

Heard Mr. D. Lawande for the petitioner in LD-VC-CW-359-2020 and Mr. C. A. Fereira for the petitioner in LD-VC-CW-362-2020. Mr. D. Pangam, learned Advocate General appears along with Ms. Maria Correia, Additional Government Advocate for Respondents No.1 and 2 and Mr. S. N. Joshi appears for Respondent No.3.

2. The learned counsel for the parties state that the issue involved in both these petitions is common and therefore, both these petitions may be taken up for disposal together.

3. The petitioners in both these petitions seek an appropriate Writ to the State Government (respondents no.1 and 2) to issue notifications for delimitation of constituencies and for reservation of seats for municipal elections at least thirty days prior to the notifications of the schedule for such elections, as and when such elections are due.

4. By taking into consideration the orders made in similar petitions, we had adjourned these matters from time to time in order to enable the learned Advocate General to make a statement as to the time limit between the issuance of the notifications for delimitation/reservation and the notification of the schedule of the municipal elections.

5. Today, the learned Advocate General for the State of Goa makes a statement that the notifications for delimitation and reservation will be issued by the appropriate authorities whom he represents, at least three weeks prior to the date of the notification of the schedule for municipal elections.

6. Mr. Lawande and Mr. Fereira, the learned counsel for the petitioners state that for the present, the petitioners, are agreeable to the disposal of these petitions by accepting the aforesaid statement of the learned Advocate General. However, they submit that the larger issue raised by them in these petitions may be kept open for decision in an appropriate case, should the occasion therefor, arise.

7. By accepting the statement made by the learned Advocate General and directing the concerned authorities to act accordingly, we dispose of these petitions. However, we feel that it would be better if there is some statutory provision made in this regard so that both the candidates desirous of contesting the elections, as well as the voters are quite clear about the issue of delimitation and reservation before the actual announcement of the election schedule.

8. For the present, we dispose of these petitions by accepting the statement of the learned Advocate General and directing the concerned authorities to act accordingly. Since we have not gone into the larger

issue, the same is kept open, should any occasion arise for raising the same.

9. Both these petitions are disposed of in the aforesaid terms. There shall be no order as to costs.

M. S. SONAK, J.

CHIEF JUSTICE

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