

**IN THE HIGH COURT OF BOMBAY AT GOA**

**PUBLIC INTEREST LITIGATION WP NO. 13 OF 2019**

**ST. MATEUS TENANTS ASSOCIATION,  
THR. ITS CHAIRMAN, MENINO DIAS AND  
ANR.,**

**... Petitioners**

**Versus**

**MAMLATDAR OF TISWADI, PANAJI AND  
10 ORS.,**

**... Respondents**

Ms. Norma Alvares and Ms. Anamika Gode, Advocates for the  
Petitioners.

Mr. Deep D. Shirodkar, Additional Government Advocate for  
Respondent Nos. 1, 2, 4, 5 and 6.

Mr. S.S. Katak, Senior Advocate with Mr. Amey Kakodkar,  
Advocate for Respondent No. 7.

Coram:- M. S. SONAK &  
C. V. BHADANG, JJ.

Date:- 13th November, 2019

P.C.

Heard the learned Counsel for the parties.

2. According to us, arguable issues are raised. Hence, we issue  
Rule. The learned Counsel for the respective respondents waive  
service on Rule.

3. Insofar as the issue of interim relief is concerned, we record  
the statement of Mr. Katak, the learned Senior Advocate  
appearing for respondent no. 7 that respondent no. 7 will restrict  
the construction strictly to part of Survey No. 36/1-A (part),

which admeasures 3,200 square metres and which is reflected in the Sanad dated 22.12.2017 and the plan annexed therewith.

4. This means that the respondent no. 7 will not undertake any construction beyond 3,200 square metres, which the petitioners allege as khazan land.

5. According to us, this statement, is sufficient at the present stage and therefore, it is not necessary to grant any further interim orders. However, we clarify that the construction will be subject to further orders in this Petition and the respondent no. 7 will therefore, not be entitled to claim any equities in the matter.

6. Parties to complete their pleadings within two months. Once the pleadings are complete, liberty to apply for fix date for final hearing.

C. V. BHADANG, J.

M. S. SONAK, J.

EV