Suzana

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.527 OF 2018
WITH
WRIT PETITION NO.530 OF 2018, MISC.CIVIL APPLICATION NO.333 OF 2025, MISC.CIVIL APPLICATION NO.334 OF 2025

WRIT PETITION NO.527 OF 2018

VALLABH VINAYAK NAIK AND 7 ORS., ... PETITIONERS
Versus
THE STATE OF GOA, THR. THE CHIEF SECRETARY AND 61 ORS., ... RESPONDENTS

WITH
WRIT PETITION NO.530 OF 2018

TUSHAR MADHUKAR NAIK AND 7 ORS., ... PETITIONERS
Versus
THE STATE OF GOA, THR. THE CHIEF SECRETARY AND 61 ORS., ... RESPONDENTS

WITH
MISC.CIVIL APPLICATION NO.333 OF 2025
IN
WRIT PETITION NO.530 OF 2018

ANIL SHIVA SALGAONKAR ... APPLICANT
Versus
THE STATE OF GOA, THR. THE CHIEF SECRETARY AND 61 ORS., ... RESPONDENTS

WITH
MISC.CIVIL APPLICATION NO.334 OF 2025
IN
WRIT PETITION NO.527 OF 2018

ANIL SHIVA SALGAONKAR ... APPLICANT
Versus
THE STATE OF GOA, THR. THE CHIEF SECRETARY AND 61 ORS., ... RESPONDENTS

Mr S.D. Lotlikar, Senior Advocate with Mr Parag Wagle and Ms Neha Shirodkar, Advocates for the Petitioners in WP No.527/2018.
Mr S.D. Lotlikar, Senior Advocate with Mr Parikshit Sawant, Advocate for the Petitioners in WP No.530/2018.
Mr Arun A. S. Talaulikar, Additional Government Advocate for Respondents No.1 and 2 in WP No.527 and 530/2018.

Mr Abhay Khandeparkar, Advocate (through V.C.) for Respondent No.4 to 13, 15 to 17, 19 to 23, 25 to 41, 43 to 54 and 55 to 57.
Mr Nigel Da Costa Frias, Advocate with Mr. Vineet Surlakar, Advocate for Respondent Nos.58 to 62.

CORAM:- VALMIKI MENEZES, J.

DATED :- 27th November, 2025

ORAL ORDER:

1. Registry to waive objections and register the Miscellaneous Civil Applications.

2. Heard.

3. These two Petitions arise from an order dated 28.03.2018 passed by the Adjudicator appointed by this Court, namely, Shri Desmond D'Costa, retired District Judge.

In the first round of litigation, the Respondents No.58 to 62 had filed a Writ Petition No.171/2016 to challenge the exclusion and non-consideration of their names from the list of Mahajan Voters prepared by the Committee of Shri Devi Sharvani Vetal-Maharudra Panchayatan Sansthan, Advalpal-Respondent No.1. In that Petition by Consent Order of 03.05.2017, the Division Bench of this Court appointed the aforementioned Adjudicator to inquire into the various objections, both of the Petitioners in Writ Petition No.171/2016 and of other objectors which included the two sets of Petitioners in the present Petitions. This Consent Order came to be passed despite the

mechanism under the Devasthan Code which provides for an Appeal from the list of voters prepared by the Managing Committee to the General Body under Article 26(2) of the Committee, only to pave way for conducting the election process in a smooth manner. Now that the Adjudicator has decided all the objections, the two sets of Petitioners in these two Petitions have challenged the Adjudicator's order, either on the ground that their objections that the names of the Respondents No.58 to 62 and other Respondents in the Petitions should be excluded, while certain other names in the Petitions should be included in the list of Mahajan voters. Essentially, therefore, the Appeal would be maintainable against an order or decision of the General Body, which was now substituted by consent that the appointment of the Adjudicator, under paragraph 2 of Article 26 to the Administrative Tribunal. However, the two sets of Petitioners have chosen to file the present Petition before this Court instead of proceeding to file Appeals, since the Adjudicator had been appointed by consent.

4. On hearing the parties, it has now been consented by all parties that these two Writ Petitions shall be proceeded to be Appeals under paragraph 2 of Article 26 and shall be heard by the Administrative Tribunal in its above-referred Appellate jurisdiction. The Consent is recorded after the respective Advocates have conferred with their parties and have been so instructed.

5. Accordingly, the Writ Petitions No.527 of 2018 and Writ Petition

No.530 of 2018 shall be transferred by the Registry of this Court to the file of the Administrative Tribunal of Goa within a period of two weeks from the passing of this order. The Registry shall maintain a copy of these files in its record for the purpose of recording the disposal of these Petitions. The Tribunal, on receiving the two sets of Petitions, shall proceed to decide the two Appeals in challenge to the order of the Adjudicator on their own merits, preferably by 15.04.2026 and since the parties consent, the question of limitation shall not be raised by any of them.

The parties shall appear before the Tribunal on 15.12.2025 at 10:30 AM.

6. The Writ Petitions No.527 and 530 of 2018 stand disposed of by consent, in the above terms.

7. The interim relief granted by order of this Court dated 02.05.2018 in these Petitions shall continue to operate until the disposal of the Appeals.

8. In view of the disposal of these Petitions, Miscellaneous Civil Applications No.333 of 2025 and 334 of 2025 are also disposed of.

VALMIKI MENEZES, J.

Signed by: MARIA SUZANA REBELLO
Designation: Personal Assistant
Date: 05/12/2025 14:22:12