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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.2987 OF 2025 (F)

SUBHADRA KRISHNA GAWAS REP BY POA
MR GANBA KRISHNA GAWAS

... PETITIONER

Versus

STATE OF GOA THR ITS CHIEF
SECRETARY AND 2 ORS

... RESPONDENTS

Mr. Sagar Dhargalkar, Advocate for the Petitioner.

Ms. Akshata Bhat, Additional Government Advocate for Respondent
Nos. 1 and 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 19th November, 2025

P.C.:

1. Issue notice to the Respondent No.3 returnable on 12.12.2025.
2. Ms. Akshata Bhat waives service for Respondent Nos. 1 and 2.
3. A private notice to Respondent No.3 has been served, and a copy of the notice with acknowledgement of Respondent No.3 is placed on record by the learned Advocate for the Petitioner.
4. In addition to the regular modes of service, the Respondent No.3 may also be served by Speed Post A.D., Courier, WhatsApp and Email. Affidavit of service along with the tracking report of the

registered parcel, printout of email and WhatsApp messages as proof of service to be filed by 10.12.2025.

5. A private notice may also be served on the Advocate who appeared for Respondent No.3 before the Deputy Collector and Sub Divisional Magistrate, Sattari Sub Division, Valpoi where Case No.III-Conv/SAT/06/2019 has been listed tomorrow i.e. 20.11.2025 at 3:00 p.m. for hearing.

6. On going through the provisions of Section 33 of the Goa Land Revenue Code and Rules 8 and 9 of the Goa Land Revenue (Conversion of use of land and non-agricultural assessment) Rules, 1969, the inquiry of the nature ordered by the Collector in the impugned orders dated 19.09.2025 and 03.11.2025, prima facie, does not appear to be contemplated. The Collector has on record, a survey conducted by the Mamlatdar of Sattari, where lands under Survey Nos. 28/11 and 1/1 which belong to the Government of Goa, have been surveyed by a Field Surveyor and a report to that effect has been filed. Going through the provisions of Section 33 read with the Rules, the Collector, on a prima facie understanding of the provisions, does not have the powers of a Civil Court to inquire into the Respondent's defence of a title set up in the reply. Consequently, the further proceedings in Case No.III-Conv/SAT/06/2019 shall stand stayed until disposal of this petition. The Collector shall not proceed to record the evidence of any witness or conduct an inquiry.

7. Stand over to 12.12.2025.
8. Parties to act on an authenticated copy of this order.

VALMIKI MENEZES, J.