



IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.346 OF 2016

1. Mr Caesar Agnelo Mascarenhas
and his wife
2. Mrs Maria Ella A. Mascarenhas, power of
Attorney holder of Petitioner No.1.
Both major, residents of H.No.81,
Falwaddo, Arossim, Cansaulim,
Mormugao, Goa. Petitioners.

Versus

1. The Custodian of Enemy Property
for India, Kaiser-I-Hind Building,
Currimbhoy Road, Balard Estate,
Mumbai 400 001.
2. The Collector,
Office of Collector, South Goa
District, Margao, Goa.
3. The Mamlatdar of Mormugao,
Vasco da Gama, Goa. Respondents.

Mr Nigel da Costa Frias, with S. Misquita and Mr Shane Coutinho, Advocates for the Petitioners.

Mr Pravin Faldessai, Addl. Govt. Advocate for Respondents No.2 and 3.

**CORAM : M. S. KARNIK &
VALMIKI MENEZES, JJ.**

DATED : 23rd OCTOBER 2024.

ORAL JUDGMENT : (Per M.S. KARNIK, J.)

1. Heard learned Advocate Mr Nigel da Costa Frias for the Petitioners and learned Addl. Govt. Advocate Mr Pravin Faldessai for Respondents No.2 and 3.
2. The reasons as recorded in the order dated 26/11/2019 in Writ Petitions No. 245/2018 and 1187/2018, operative portion of which is at para 48, will equally apply to the present case. The Petition is therefore allowed. Impugned order dated 08/10/2010 along with the Certificate, is set aside. The Respondents may proceed further with the matter in terms of the directions contained in paragraph 48 of the decision in Writ Petitions No. 245/2018 and 1187/2018.
3. The Writ Petition is allowed and disposed of. Rule is made absolute in the above terms. No costs.

VALMIKI MENEZES, J.

M. S. KARNIK, J.