

IN THE HIGH COURT OF BOMBAY AT GOA

STAMP NUMBER MAIN NO. 721 OF 2016

THE MAZANIA OF TEMPLE OF SHRI
NAVADURGA OF MADKAI ACTING THR.
ITS ATT. SURESH BHAGWANTKAMAT
ANDANR.,

... Appellants

Versus

SHRI DEVI NAVADURGA PRATISHTHAN
THR. ITS TUSTEES AND 25 ORS.,

... Respondents

Mr. S. S. Kantak, Senior Advocate with Mr. A. Kamat, Advocate for
the Appellants.

Mr. Amrut Kansar, Advocate for the Respondent nos. 1 to 23.

Mr. Vivek Rodrigues, Government Advocate for the Respondent nos.
24, 25 and 26.

Coram:- K. L. WADANE, J.

Date:- 25th February, 2016

P.C.

Heard Mr. S. S. Kantak, learned Senior Advocate appearing for
the Appellants/Original Defendant nos. 3 and 4, Mr. Kansar, learned
Advocate appearing for the Respondent nos. 1 to 23 and Shri Vivek
Rodrigues, learned Government Advocate appearing for the
Respondent nos. 24, 25 and 26.

2. The parties are claiming their rights over the management of the
Devasthan Navadurga. According to the Original-Plaintiff, the
Defendant nos. 3 and 4 are going to replace the idol on 29.02.2016
and, therefore, they prayed for the interim relief restraining the
Defendant nos. 3 and 4 from replacing the idol. In the Trial Court, an
application for interim relief is pending and in the meantime, the

Trial Court is directed to maintain status quo.

3. According to Mr. Kantak, learned Senior Advocate appearing for the Appellants, such Order is without any reason. Therefore, it is liable to be set aside.

4. During the course of arguments, Mr. Kantak, learned Senior Advocate appearing for the Appellants, upon instructions, made a statement that the Defendant nos. 3 and 4 will not replace the idol for a period of 30 days and in view of the circumstances appearing from the contents of the affidavit of the Appellants, which are disputed by the other Respondents.

5. In view of the statement made by Mr. Kantak, learned Senior Advocate, the impugned Order and Appeal is hereby set aside. The learned Trial Judge is directed to dispose of the application for interim relief within a period of 30 days from the date of receipt of this Order.

6. The parties are directed to appear before the Trial Court on 29.02.2016 at 2.30 p.m.

7. Appeal stands disposed of accordingly.

K. L. WADANE, J.

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