



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.219 OF 2024**

Mr. Rajesh Vishwanath Panandikar
S/o late Vishwanath Raghunath Panandikar,
46 years of age, Businessman,
Mahajan of Shree Shantadurga Saunsthan,
Kavlem,
R/o H. No. 339/B, Urzo,
Salcete-Goa. Camurlim,

... Petitioner.

V/s

1. Mr. Triloknath Pandharinath Borkar,
S/o Pandharinath Borkar,
47 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Sainath Co-op. Housing Society,
Flat No.2, Shantinagar, Ponda-Goa.
2. Mr. Sachin Devidas Rege,
S/o Devidas Rege,
48 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan Kavlem,
R/o Flat No.1, 56/A Kurtarkar
Shrusti (Nagai), St. Cruz, Ponda-Goa.
3. Mr. Manoj Vijayanand Hede,
S/o Vijayanand Hede,
54 years of age, Businessman,

Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Flat No.302, Supreme Bombi Plaza,
Near LIC Office, Comba, Margao-Goa.

4. Mr. Dilip Sripad Gaitonde,
S/o Sripad Gaitonde,
74 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o H. No.123, Palolem Beach Resort,
Dr. Gaitonde Road,
Palolem, Canacona-Goa.

5. Mr. Prashant Shivanand Kasbekar,
S/o Shivanand Kasbekar,
68 years of age, Retired,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Shilip Shruti, Saraswati Baug,
Jogeshwari (East), Mumbai.

6. Mr. Girish Yeshwant Karapurkar,
S/o Yeshwant Karapurkar,
64 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Prabhat, Near Magson Super Centre,
La Campala, Miramar,
Panaji, Goa-403001.

7. Mr. Mahesh Vassant Gaitonde,
S/o Vassant Gaitonde,
57 years of age, Businessman,

Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Vasant Vihar, Prabhunagar,
Curti, Ponda, Goa-403401.

8. Mr. Damodar Maheshwar Borkar,
S/o Maheshwar Borkar,
72 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o H. No.19, Paniwada, Borim-Goa.

9. Mr. Shantaram Alias Vallabh Vasudev
Kudchadkar,
S/o late Vassudev Kudchadkar,
67 years of age, Advocate,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Pontemol, Curchorem-Goa.

10. Mr. Vivekananda Govind Nadkarni
S/o Govind Nadkarni,
62 years of age, Businessman,
Mahajan Shantadurga of Shree
Saunsthan, Kavlem,
R/o Ponda-Goa.

11. Mr. Sanjay Suryaji Malkarnekar,.
S/o late Suryaji Malkarnekar,
62 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Baga, Curchorem-Goa.

12. Mr. Sadanand Vishwanath Kuvelkar,
S/o Vishwanath Kuvelkar,
63 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan Kavlem,
R/o. Near Shantadurga Temple,
Kavlem, Ponda-Goa.
13. Mr. Bhushan Pandurang Shirvoikar,
S/o Pandurang Shirvoikar,
37 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Vidyanagar, Aquem, Margao-Goa.
14. Mr. Vivek Surendra Nadkarni,
S/o Surendra Nadkarni,
63 years of age, Businessman,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o Ambaji, Fatorda, Salcete-Goa.
15. Pranav Vishwanath Sanvordekar,
S/o Vishwanath Sanvordekar,
36 years of age, Advocate,
Mahajan of Shree Shantadurga
Saunsthan, Kavlem,
R/o near Tisk, Sanvordem-Goa.
16. Shree Shantadurga Saunsthan,
Kavlem Of Ponda-Goa.
17. Mamlatdar And Administrator
Of Devasthan,

Office of the Mamlatdar of Ponda,
Ponda-Goa.

18. Mr. Shreedhar Assoldekar,
75 years of age, Retired,
Election Returning Officer,
R/o Shantaben Housing Complex,
Chimbel Road, Mercedes, Panaji-Goa.

19. Mr. Raghuvir Varde,
S/o Vassudev Varde,
45 years of age,
Advocate, Assistant Returning Officer,
Mahajan of Shree Shantadurga
Saunthan, Kavlem,
Having office near Ponda District
Court, at Ponda-Goa.

...Respondents

Mr. Parag Rao with Mr Akhil Parrikar and Mr. Ajay Menon,
Advocates for the Petitioner.

Mr. Parag Wagle, Advocate for Respondent Nos.1 to 4, 6 to
8, 12 and 16.

Mr. Neehal Vernekar, Additional Government, Advocate for
Respondent No.17.

Mr. Purushottam Karpe with Ms. Gauri P. Karpe, Advocates
for the Respondent No.19.

CORAM:	VALMIKI MENEZES, J.
DATE:	7th FEBRUARY, 2025

ORAL JUDGMENT:

1. Rule. Rule is made returnable forthwith and with the consent of the parties, the petition is finally disposed of.

2. Heard Mr. Parag Rao appearing with Mr Akhil Parrikar and Mr Ajay Menon for the Petitioner, Mr Parag Wagle, learned Advocate for Respondent Nos.1 to 4, 6 to 8, 12 and 16, Mr. Neehal Vernekar, learned Additional Government Advocate for Respondent No.17 and Mr. Purushottam Karpe, learned Advocate with Ms. Gauri P. Karpe, Advocate for the Respondent No.19 who waive service.

3. The challenge in this petition is to the Judgment of the Administrative Tribunal of Goa dated 10.05.2022. The impugned order has been passed dismissing the Petitioner's Devasthan Election Appeal No. 07/2022 under Article 30 of the Devasthan Regulations i.e. Regulamento das Mazanias (the Regulations). The Petitioner has also challenged an order passed by the same Tribunal on 30.11.2022, dismissing his review application bearing Misc. Application No. 02/2022/Review/DEV.

4. It is the case of the Petitioner in the Election Appeal that Election to the various posts in the governing body (i.e. Managing

Committee) for the triennium commencing from 01.04.2022 to 31.03.2025 were to be held on 20.03.2022 when the tenure of the previous Committee from 01.04.2019 was to end on 31.03.2022. It is the Petitioner's case that he filed his nomination for the post of substitute President. The Managing Committee comprises of a Chairman, Treasurer, Attorney and Secretary who carry on day-to-day work, general supervision and control of the affairs of the Shree Shantadurga Devasthan, Kavlem, Ponda(The Devasthan). It is further the case of the Petitioner that he and one Mr. Mayuresh Padgaonkar put in objections to the nominations of Respondent Nos. 1 to 8 to contest the Elections for the aforementioned post, including for the position of the substitute Chairman, Treasurer, Attorney and Secretary. That Respondent Nos. 17, 18 and 19, were conducting the Elections as returning officers, in gross violation of the Regulations and more particularly Para 4 and Para 5 of Article 40 thereof. According to the Petitioner, the provisions of Para 4 and Para 5 of Article 40 prohibit a person, who has already held an elected post in the Managing Committee for the previous triennium ending 31st March, was disqualified from filing a nomination for the same post or even for any other posts for the next triennium commencing 1st April; i.e. for the triennium immediately after the end of the candidate's previous term.

5. The objections raised by the Petitioner came to be rejected by the Returning Officer with a cryptic order and without assigning proper reasons. Thereafter, the elections were conducted on 20.03.2022 at which Respondent Nos. 1 to 8 were elected to various posts/substitutes to the Managing Committee of the Devasthan for the triennium commencing 01.04.2022 and ending 31.03.2025. The Petitioner now contends before this Court that the election for the triennium 01.04.2025 to 31.03.2028 is due to be held on 09.02.2025, for which an urgent cause for disposal of this petition at the admission stage is called for.

6. Accordingly, the petition was heard on 06.02.2025 and 07.02.2025 and disposed of finally at the stage of admission with the consent of all the parties.

7. Learned Advocate Shri. Parag Rao for the Petitioner makes the following submissions:

(a) He submits that Article 40 comprises of 5 paragraphs as originally found in the Legislation dating back to 1933; on 27.08.1962, after the Liberation of Goa, Para 1 was amended to bring the term of the triennium of the Managing Committee in line with the financial year, and accordingly the

term, according to the amendment was to commence on 01.04.1962 until 31.03.1965 and thereafter for subsequent triennium coinciding with the commencement and end of the financial year. It was further his submission that Para 4, which is a provision that has never been amended since the Legislative Diploma No. 645(The Regulation) came into force on 30.03.1933, the provisions of Para 4 stipulated that no member of the Committee when reappointed or re-elected could be inducted into the Committee unless a period equal to that for which he has been elected or appointed has passed. Elaborating this submission, the learned Advocate contends that Para 4 of Article 40 operates as a bar on the nomination or re-election of any member of the Committee to any post in the Committee for a consecutive term.

(b) It was further submitted on behalf of the Petitioner that the provisions of Para 5 as they stood both, in 1933 and in 1962, as an un-amended provision, unequivocally acted as a bar on any member of the previous Committee from being reappointed or being re-elected, unless such member was discharged from the Managing Committee. It was further the submission of the learned Advocate for the Petitioner that the provision of Para 5 of Article 40 was amended by the Goa

Daman and Diu Legislative Diploma No. 645 dated 30-03-1933 (First Amendment) Act, 1980, by substituting the entire original Para 5 with a new provision which stated that every member of the Committee, effective or substitute, shall, on expiry of his term, be eligible for re-election or reappointment. However, whilst amending Para 5, the Legislature, being conscious of the embargo on re-election under Para 4, did not amend the provisions of Para 4, as a consequence of which the bar on filing a nomination or getting re-elected or reappointed continues to operate. Consequently, the acceptance of nominations of Respondent Nos. 1 to 8, by the Returning Officers was contrary to the provisions of Article 40 of the Regulations and consequently, the Tribunal, on a wrong interpretation of those provisions has committed an error of law in dismissing the Election Appeal.

(c) It was further submitted that the Tribunal ought to have exercised its power of review and reviewed its Judgment, if not on the merits, on the aforementioned submissions, at least to the extent of recalling the order imposing costs of Rs.10,000/- (Rupees Ten Thousand only) on Petitioner. The submission is based on the premise that the Tribunal is vested

with the powers of a Civil Court to impose costs and at the most the costs that a Civil Court can impose is Rs.30,000/- (Rupees Thirty Thousand only); it was further submitted that the costs imposed were exorbitant, arbitrary and uncalled for when the Petitioner was canvassing a pure point of law.

(d) Reliance was placed on the following judgments:

i. *Padma Sundara Rao (Dead) & Os. V. State of T.N. & Ors.*, (2002) 3 SCC 533

ii. *M. Pentiah & Ors. v. Muddala Veeramallappa & Ors.*, 1960 SCC OnLine SC 37

iii. *Union of India & Ors. V. Dileep Kumar Singh*, (2015) 4 SCC 421

8. Learned Advocate Shri. Neehal Vernekar appearing for Respondent No. 17, the Mamlatdar and the Administrator of Devasthan, Ponda, under whose jurisdiction the Respondent No. 16 Devasthan is placed, has made the following submissions:

(a) It was submitted that the Legislative intent of amending Para 5 was clearly to depart from the provision as it stood prior to 1980, which prohibited a member of the Managing Committee of the previous triennium from standing for election to the next triennium in the same post, and without submitting a nomination for a

different post; the learned Advocate places reliance upon the Statements of Objects and Reasons of the amendment before it was submitted as a Bill to the Legislative Assembly, which clearly spells out the Legislative intent of the amendment.

- (b) It was further submitted for Respondent No. 16, that Para 4 of Article 40 did intend to create an embargo on a member of a Managing Committee, in a particular post in the previous triennium from being elected or submitting a nomination for re-election or reappoint in the very same post held by him in the previous Committee; it was contended that the prohibition in Para 4 did not create an embargo on the member from filing a nomination or seeking re-election/reappointment to the post other than one held by him in the previous Committee. These submissions were based on a plain reading of Para 4 which refers to words such as “when reappointed or re-elected” which points to the limited prohibition on getting re-elected in a subsequent triennium to the same post.

(c) Reliance was placed on *Chhattisgarh State Co-operative Bank Maryadit v. Zila Sarkari Kendriya Bank Maryadit & Ors.* (2020) 6 SCC 411.

9. Advocate Shri Parag Wagle for Respondent Nos.1 to 4, 6 to 8, 12 and 16 in substance reiterated the submissions made by Shri Vernekar for Respondent No.17; he submitted that the findings of fact rendered by the Tribunal, do not call for any interference since there is no perversity that can be shown on the face of the record in arriving at the same. So also, he submits that the interpretation given by the Tribunal to the provisions of Para 4 and 5 of Article 40 appear to be sound and reasonable and cannot be faulted. He submits that the impugned order dismissing the appeal as also rejecting the application for review do not suffer from any error and may be confirmed.

Shri Purshottam Karpe for Respondent No.19 adopts the submissions for Respondent No.17 and supports the impugned order.

10. The two questions which fall for my determination in this petition are:

- a. Whether the interpretation rendered by the Administrative Tribunal to the amended provisions of Para 5 and provisions of Para 4 of Article 40 of the Regulations are legally sustainable, and if yes, whether the appeal has been rightly dismissed?
- b. Whether the cost of Rs.10,000/- imposed by the Tribunal on the Petitioners, in the facts and circumstances of the case, can be said to be excessive and call for interference in the supervisory jurisdiction of this Court?

11. To answer the first question, it would be appropriate to refer to the provisions of the Regulations as they stood on the statute since 30.03.1933. Prior to coming into force of the Regulations of 1933, the activities of the Mazanias (Registered Temples) were regulated by the “Regulamento das Mazanias” approved by the Provincial Law (Portaria) No. 584 of 30.10.1886. The then Portuguese Government felt the need to further streamline the functioning and administration of the Mazanias/Temples for which purpose, the Regulations dated 30.03.1933 were brought into force under Legislative Diploma No.645 and published in the Official Gazette on 06.04.1933. Section II of the Regulations consists of

Articles 36 to 39 which stipulate that the meetings of the members of the Mazanias shall be public and the resolutions passed therein shall be taken by majority of votes of members who are present and voting at the meeting. It also stipulates that every year three ordinary sessions are required to be held and extraordinary sessions shall be as may be ordered or authorized by the Administrator.

Section III relates to the Managing Committees, their elections and appointment, and of their dissolution. Section III consists of Articles 40 to 69.

12. Article 40, containing five Paras or sub-sections, as it originally stood as on 30.03.1933, as translated, read thus:

“Article 40 – The Administrative Committee shall consist of a President, a Treasurer, an Attorney and a Clerk, the Treasurer, the Attorney and the Clerk being elected by the Body of Mahajans every 3 years on terms laid down by this Regulation, on the 2nd Sunday of the month of May for the three year period of the subsequent economic years, and the President appointed by the Governor General, serving for the same period.

§1 – The President shall be selected amongst the respective Mahajans whenever it is possible;

§2 – The President shall have a substitute appointed in the same manner by the Governor General, and other members of the Committee shall have substitutes elected simultaneously with the effective office bearers.

§3 – The functions of all the members of the Committee shall continue till they are legally substituted.

§4 – No member of the Committee when re-appointed or re-elected shall be bound to serve unless a period has elapsed equal to that for which he was appointed or elected.

§5 – No member of the Committee shall be re-appointed or re-elected unless he is discharged from the previous management.”

13. Article 40, as plainly read, stipulated that the Administrative Committee would consist of a President, a Treasurer, an Attorney and a Clerk. It provided for the Treasurer, Attorney and Clerk to be elected by the General Body of Mahajans for a term of three years, the election to be held on a second Sunday of the month of May. Para 1 to Article 40 provided that the President shall be selected amongst the respective Mahajans, whenever possible whilst Para 2 provided for the simultaneous elections of a substitute President, a substitute Treasurer, a substitute Attorney and a substitute Clerk along with the effective office bearers. Para 3 provided that the members of the Committee shall continue to function till they are legally substituted whilst the provisions of Para 4 stated that no member of the Committee, when reappointed or re-elected are bound to serve, unless a period has elapsed which is equal to that for which he was appointed or elected. Para 5 stipulated that no

member of the Committee shall be reappointed or re-elected unless he is discharged from the previous management.

14. A plain reading of Para 4 to Article 40 would at first sight appear to operate as a blanket bar to a member of a Committee from being re-elected unless a period equal to that for which he had been elected earlier (one entire triennium) had passed. Para 4 read with the provisions of Para 5 as it originally stood, could have been interpreted to mean that no member of a Committee, whether effective (President, Treasurer, Attorney and Clerk) or a substitute (President, Treasurer, Attorney and Clerk) could hold office or be re-elected for the subsequent triennium following the triennium for which he was elected.

This was in fact the submission of the learned Advocate for the Petitioner who contended that the heart of the provision of Article 40 lay in the prohibition in Para 4 read with the provisions of Para 5, by which an office bearer could not seek re-election for the next triennium, whether in the same post or any other post.

15. However, reading of Para 4 would suggest that the prohibition did not lie in a member getting himself re-elected but the prohibition lay in a member getting himself re-elected in the very same post held by him in the previous triennium. To give an

example, a member who was elected as a Treasurer for a triennium would be prohibited by the provisions of Para 4 to stand for and be re-elected to the very same post of Treasurer for the subsequent triennium. This bar would however, not operate to prohibit a person elected to a particular post in a triennium to contest or get himself elected to a different post in the subsequent triennium.

16. The Regulations of 1933, immediately prior to the liberation of Goa on 19.12.1961 was amended on 29.05.1959 by Legislative Diploma No.1898 to substitute the date on which elections were to be held from the second Sunday of May to the second Sunday of February. Immediately after 19.12.1961 (Liberation Day) after Goa was annexed into the Indian Union, Article 40 of the Regulations was further amended on 27.08.1962, adding a proviso thereto. Thus, Article 40 with its added proviso, as on 1962 read as under:

“The Managing Committee shall be composed of a President, a Treasurer, an Attorney and a Clerk, all of them being elected by secret ballot by the body of members (mazania) every three years in terms prescribed under this Regulation on second Sunday of the month of February for the period of next three financial years:

Provided that the election of the aforesaid administrative committee for the period of 3 final years, beginning on the 1st April 1962, shall be made within 20 days from the publication of order in the Government Gazette or within

such time as the Government may by an order, determine for that purpose.”

17. A Bill was introduced in the Legislative Assembly of Goa, Daman and Diu on 11.04.1980 seeking to amend the Legislative Diploma 645 of 1983, which Bill was known as the GDD Legislative Diploma No.645 dated 30.03.1933 (First Amendment) Bill, 1980. What was sought to be amended was the provisions of Article 40 of the Regulations of 1933, as amended in 1959. The statements of objects and reasons for amendment to Article 40 as stated in Bill No.13 of 1980, introduced in the Legislative Assembly are reproduced below:

“Statement of Objects and Reasons

The Legislative Diploma No. 645 dated 30-3-1933 governing mazanias (Devasthan Regulation) as in force in this Union territory of Goa, Daman and Diu enables the members of the Committee, duly elected to continue office for a maximum period of three years and the members of the Committee are debarred from contesting re-election to the Committee. As the period of three years appears to be short for any substantial achievements to be accomplished, the much needed continuity of member of current Committee could not be effected unless the provision of the Code is suitably amended. The present Amendment seeks to enable the existing member of the Committee to contest re-election for the Committee.”

18. The object of the amendment, as can be understood from the statements to the Bill was mainly to permit members of a Committee whose term would come to an end, the opportunity to get themselves re-elected in a consecutive term. The object of the amendment suggested to Para 5 of Article 40 therefore appears to be with an aim to remove the bar contained in Para 5 as it stood under the Regulations of 1933, prior to the 1980 amendment.

19. Para 5, post its amendment by the Assembly, which came into effect on 18.05.1980, reads as under:

“Para 5-Every member of the Committee, effective or substitute, shall hold office for a period for which he had been, duly elected or appointed and shall on expiry of the said term be eligible for re-election or reappointment:

Provided that notwithstanding the expiry of the term of Office, the member of the Committee shall continue in the office until his successor has been duly elected and has assumed office.”

20. The effect of Para 5, when read in its amended form would clearly mean an intent that every member of a Committee, whether effective or a substitute member shall be eligible for re-election or re-appointment for further triennium. The insertion of a proviso to amended Para 5 would further clarify that the member of a

Committee whose term expires would continue in office until his successor has been duly elected and assumes office.

The contention now raised by the Petitioner is that notwithstanding, the amendment of 1980 substituting Para 5 and its proviso, the provisions of Para 4, not having been amended simultaneously with those of Para 5, would continue to operate as a bar to the re-election of a member of a Committee whose triennium term comes to an end, for a subsequent term.

21. The provisions of Para 4 seem to suggest that there is actually no bar to the re-election of the Committee and in fact the provision appears to enjoin the re-elected member to serve his term. The bar, however, if read with the un-amended provision of Para 4 would perhaps be to re-election for a consecutive triennium in the same post held by the Committee member.

22. The amended provision of Para 5, which if read with the statements of objects and reasons would appear to be intended to allow all members of the Committee to seek re-election for the next and consecutive triennium. This amendment appears to be aimed at providing continuity in the functioning of a Committee for a longer duration of time to enable the members of the earlier

Committee to accomplish and achieve a better administration over a duration of 6 years (2 trienniums).

23. If the intention of amending Para 5 from 1980 was to ensure continuity to the members of the previous Committee, if re-elected, the purpose and intent of amending the provision could be obviously better achieved by permitting the Committee member holding a particular post to continue performing his duties in the same post, on re-election.

Reading the provisions of Para 4 in a narrow sense, as contended by the Petitioner, so as to effectively operate as a bar on re-election irrespective of the fact that whether such re-election was to a different post, would be taking an extremely narrow view; the interpretation to the provisions of Para 4, if read with the amended provisions of Para 5, must necessarily be read in a manner to further the legislative intent of the amendment. Para 4 by itself, might have at most been interpreted even prior to 1980 amendment to Para 5, not to act as a bar to re-election, but perhaps as a bar to re-election in the same post. This interpretation, post 1980, and considering the object of amending Para 5, would have to be more meaningful and in consonance with the intent and purpose to be achieved, by amending Para 5.

24. The provisions of Para 4 and amended provision of Para 5, keeping the intent and object of the amendment to be achieved by the legislative change in mind, would have to be read harmoniously. The intent of the amendment being clearly to allow continuity of the functioning of the elected Committee, even if re-election of a member were in the same post, the provisions of Para 4 must therefore be read in favour of the legislative intent; the only interpretation permissible for Para 4 would be that there could be no bar on a member of an outgoing Committee from seeking re-election to the same post or any other post in a Committee for a consecutive triennium term.

25. On considering the interpretation rendered by the Administrative Tribunal on the provisions of Article 40 of the Regulations, the interpretation which forms the basis of its Judgment appears to be sound and without any infirmity, consequently, to that extent, the Judgment does not call for any interference and is required to be confirmed.

26. The Tribunal has however, whilst hearing an Appeal under the Devasthan Regulations which brings into challenge an interpretation of a provision of the Regulations, imposed costs of Rs. 10,000/-(Rupees Ten Thousand only) on the Appellant, though

imposition of costs is a matter of discretion of the Court and should in normal course not be interfered with, this was a case which was mainly pitched on the interpretation of the provisions of Article 40 of the Regulations. The Appeal before the Tribunal raised a challenge to the eligibility of a re-elected member based upon an interpretation of Article 40. The Appeal is a statutory right under the Regulations. In normal course, availing its statutory right would not attract imposition of costs, unless there is some conduct of the Appellant during the course of the hearing that may suggest an intention of protracting the proceedings, which may justify imposition of costs. The Tribunal has not stated any reason for imposing heavy costs of Rs. 10,000/- (Rupees Ten Thousand only) on the Appellant, which are arbitrary and not based upon any reason. In that view of the matter, the imposition of costs of Rs. 10,000/- (Rupees Ten Thousand only) on the Petitioner would be required to be quashed and set aside.

27. For the reasons stated above, the Writ Petition stands partly allowed to the extent that the order imposing costs of Rs. 10,000/- (Rupees Ten Thousand only) on the Petitioner in the impugned Judgment dated 30.11.2022 is quashed and set aside. The rest of the contentions raised in the petition are rejected and the Judgment

and order dated 10.05.2022, passed by the Administrative Tribunal in Devasthan Election Appeal No. 7/2022 are confirmed.

Considering that the challenge to the election of the Respondents by way of the Appeal before the Tribunal fails, and there is no error apparent on the face of the Judgment dated 10.05.2022, there is no interference called for with the order dismissing the Review Application dated 30.11.2022.

28. Rule is made absolute in the above terms only to the extent of setting aside the aforementioned order imposing costs.

VALMIKI MENEZES, J.