

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 271 OF 2015

MR. KHUSHALI RAMCHANDRA GAONKAR. ... Petitioner
Versus
VILLAGE PANCHAYAT OF PANCHAWADI,
REP. BY ITS SECRETARY KAPIL D.
NAIK AND 2 ORS., ... Respondents

Mr. Prasheen Lotlikar, Advocate for the petition.
Mr. P. Donguir, Additional Government Advocate for the respondent
No.2.

Coram:- M. S. SANKLECHA, J.

Date:- 8th April, 2015

P.C.

This matter was mentioned for urgent circulation at 2.30 p.m.
Circulation was granted.

2. This petition has been filed to challenge the order dated 4 April, 2015 passed by the District Court at Panaji in exercise of revisional jurisdiction under Section 201-B of the Panchayat Raj Act.

3. The impugned order dated 4 April, 2015 was passed ex parte on the application of the respondent No.3. By the impugned order, the order dated 27 March, 2015 passed by the Director of Panchayat injuncting the respondent from carrying out of construction activity was stayed and the notice was made returnable on 17 April, 2015.

4. Mr. P. Lotlikar, learned counsel for the petitioner submits that the

respondent No.3 is carrying on construction activity contrary to the permission granted and by the time the matter is heard by the District Court on 17 April, 2015, the construction may become complete. In the above view, he seeks stay of the order dated 4 April, 2015. I am not inclined to entertain this petition at this stage. The petitioner is at liberty to make such application as advised in law to the District Court to recall / vary the order dated 4 April, 2014. It is expected by the District Court to hear the petitioner and pass proper orders in the interest of justice. In view of the above directions, nothing survives in the present petition.

5. The petition stands disposed of in above terms. Parties to act upon the authenticated copy of this order.

M. S. SANKLECHA, J.

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