

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 421 OF 2015

SHRI NARAYAN KASHIRAM SALGAONKAR. ... Petitioner
Versus
VILLAGE PANCHAYAT OF MANDREM,
THROUGH ITS SARPANCH/SECRETARY AND
5 ORS., ... Respondents

Mr. Ashwin D. Bhobe, Advocate for the petitioner.
Mr. P. Shirodkar, holding for Mr. G. Naik, Advocate for the
respondent No.1.
Mr. A. Shirodkar, Advocate for the respondents No.4,5 and 6.

Coram:- F. M. REIS &
C. V. BHADANG, JJ.

Date:- 15th December, 2015

P.C.:

Heard Mr. A. D. Bhobe, learned Counsel appearing for the petitioner, Mr. P. Shirodkar, holding for Mr. Ganesh Naik, Counsel for the respondent No.1 and Mr. A. Shirodkar, learned Counsel appearing for the respondents No.4, 5 and 6.

2. Mr. Bhobe, learned Counsel appearing for the petitioner states that after the above petition came to be filed, the local Panchayat respondent No.1 has taken action in connection with the complaint lodged by the petitioner by issuing a demolition notice dated 17th July, 2015. The said demolition notice is marked "X" for identification.

3. Learned Counsel appearing for the respondents No.4, 5 and 6 has pointed out that the said respondents have already preferred an appeal against the said demolition notice and the matter is under consideration before the Appellate Authority.

4. Considering that the action has already been taken by the Local Panchayat, based on the complaint lodged by the petitioner, nothing survives in the above petition. The petition stands disposed of accordingly. Needless to say that the Panchayat shall proceed to take necessary action, subject to any relief which may be granted by the Appellate Authority in the said appeal stated to have been preferred by the private respondents No.4 to 6. All contentions of both the parties, on merits, are left open.

5. It is pointed out by Mr. A.D. Bhole, learned Counsel appearing for the petitioner that the petitioner has filed an application for intervention before the Appellate Authority. The Appellate Authority shall decide such an application, after hearing the parties, in accordance with law, before hearing the appeal on merits.

C. V. BHADANG, J.

F. M. REIS, J.

ssm.