

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 475 OF 2015

SHRI SANTAN DIAS.

... Petitioner

Versus

HON'BLE MINISTER OF LAW AND
JUSTICE AND 4 ORS.,

... Respondents

Mr. Joaquim Godinho, Advocate for the petitioner.

Ms. S. Linhares, Additional Government Advocate for the respondent
nos.2 and 3.

Mr. F. Shaikh, holding for Mr. Gaurish N. Agni, Advocate for
respondent no.4.

Coram:- C. V. BHADANG, J.

Date:- 26th August, 2015

P.C.

The petitioner is challenging the order dated 11/06/2015, passed by the Chief Officer, Ponda Municipal Council, whereby, the petitioner is directed to remove/ dismantle a shed in plot No.65, situated in property bearing Survey No.126/1 of village Ponda. It is not in dispute that the remedy to challenge the said order lies before the Administrative Tribunal. However, as at the relevant time, the post of the President, Administrative Tribunal/ Municipalities' Appellate Tribunal was vacant, the petitioner has approached this Court.

2. It is submitted by Shri Godinho, the learned Counsel for the petitioner that now the appointment to the post of President, Administrative Tribunal/ Municipalities' Appellate Tribunal is already made, but he is yet to take charge. In either case, as the

appointment is already made, the learned Counsel for the petitioner seeks permission to withdraw this petition as he intends to approach the Administrative Tribunal.

3. In such circumstances, the Writ Petition is disposed as withdrawn with no order as to costs.

4. Ad interim order of stay shall continue for a period of three weeks from today.

C. V. BHADANG, J.

SMA