

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO. 22 OF 2014

MR. WILBER F. TICLO AND ANR. ... Petitioner
Versus
THE STATE OF GOA THR. THE CHIEF
SECRETARY AND 8 ORS. ... Respondent

Mr. Nigel Da Costa Frias, Advocate for the Petitioners.
Mr. A. N. S. Nadkarni, Advocate General with Ms. N. Kholkar,
Addl. Government Advocate for the Respondent no. 1.
Ms. Vidhati Shetye, Advocate for the Respondent no. 3.
Mr. S. N. Sardessai, Senior Advocate with Mr. Arjun F. Naik,
Advocate for the Respondent no. 6.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 27th April, 2015

P.C.

Heard Shri Nigel Da Costa Frias, learned Counsel appearing for the Petitioners, Mr. A.N. S. Nadkarni, learned Advocate General appearing for the Respondent no. 1, Ms. Vidhati Shetye, learned Counsel appearing for the Respondent no. 3 and Shri Sardessai, learned Counsel appearing for the Respondent no. 8.

2. Upon hearing the learned Counsel appearing for the respective parties, the main grievance raised by the Petitioners is with regard to the construction sought to be put up by Respondent no. 6 in the Village of Soccoro. It is the contention of Shri Nigel Costa da Frias, learned Counsel appearing for the Petitioners that such construction activity is without obtaining the requisite sanctions from the local

Panchayat-Respondent no. 3 herein and the breach of the terms of the Sanad granted by the Collector in terms of the provisions of the Land Revenue Code.

3. Shri Nitin Sardesai, learned Senior Advocate appearing for the Respondent no. 6, has pointed out that the authorities such as the Block Development Officer, the Deputy Director of Panchayats and the Director of Panchayats, have already initiated action with regard to the disputed construction.

4. Without going into the merits of the rival contentions with regard to the legality or otherwise of the construction being put up by the Respondent no. 6, we find it appropriate to dispose of the above Writ Petition by directing the authorities namely the Respondent no. 3 and the Respondent no. 8 to take necessary action after hearing the parties in accordance with law as expeditiously as possible. Needless to say, that we have not gone into the merits of the allegations made by the Petitioners herein. All the contentions of both the parties are left open. In case any interim directions are issued by the concerned Authorities, the same shall be complied with in accordance with law. The concerned Authorities shall examine the subject matter in controversy on its own merits in accordance with law.

K. L. WADANE, J.

F. M. REIS, J.

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