

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 194 OF 2016

MR. REMIZ CARDOZ.,

... Petitioner

Versus

BLOCK DEVELOPMENT OFFICER & 2
ORS.,,

... Respondent

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. V. Braganza,
Advocate for the petitioner.

Mr. P. Faldessai, Additional Government Advocate for the
respondent nos.1 and 2.

Mr. E. O. Mendes, Advocate for the respondent no.3.

Mr. A. D. Bhobe, Advocate for the respondent no.4.

Coram:- C. V. BHADANG, J.

Date:- 20th June, 2016

P.C.

After hearing the learned Counsel for the parties for some time, the learned Counsel appearing for the fourth respondent- Village Panchayat, on instructions, states that the Panchayat shall act on the complaint of the third respondent and shall cause the subject premises inspected within a period of six weeks from today. It is further submitted that the Village Panchayat shall take appropriate action, if any, in accordance with law.

2. In such circumstances, following order is passed by consent of the parties:

(i) The Village Panchayat shall cause the subject premises to be inspected after issuing appropriate notice to the parties concerned, within a period of six weeks from today.

(ii) The Village Panchayat shall take appropriate action, if found

necessary, in accordance with law on the complaint lodged by the third respondent.

(iii) In the event, the Village Panchayat does not take any action, it will always be open to the Deputy Director of Panchayats to assume the jurisdiction and powers in accordance with subsection (5) of Section 66 of the Goa Panchayat Raj Act.

(iv) In view of this, the impugned communication dated 02/02/2016 is hereby quashed and set aside.

(v) The learned Senior Counsel, on instructions, undertakes that the petitioner will withdraw the Representation filed before the Deputy Director of Panchayats.

(vi) The rival contentions of the parties are kept open.

(vii) The petition is disposed of in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J.

SMA