

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 253 OF 2016

SHRI. SHIVKUMAR RAI.

... Petitioner

Versus

MHAPSA MUNICIPAL COUNCIL, THROUGH
ITS CHIEF OFFICER, MAPUSA

... Respondent

Mr. G. Agni, Advocate for the petitioner.

Mr. Sandesh D. Padiyar, Advocate for the respondent.

Coram:- C. V. BHADANG, J.

Date:- 19th August, 2016

P.C.

Heard Shri Agni, the learned Counsel for the petitioner and Shri Padiyar, the learned Counsel for the respondent.

2. It is undisputed that the construction, which was undertaken by the petitioner during the pendency of this petition, has been demolished and the site has been restored to its original condition.

3. The learned Counsel for the petitioner, on instructions, states that the petitioner shall not carry out any unauthorised construction and shall not use the same for residential/ commercial purpose. The statement is accepted.

4. The petitioner has also tendered unconditional apology for

construction being made. The unconditional apology tendered is accepted.

5. In the circumstances, the learned Counsel for the petitioner submits that nothing survives in the petition.

6. The petition is, accordingly, disposed of, with no order as to costs.

7. Needless to mention that this shall not preclude the petitioner from applying to the respondent for appropriate permission for reconstruction, if so advised. If any such application is made, the respondent shall decide the same in accordance with law.

C. V. BHADANG, J.

SMA