

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 292 OF 2016

SHREE SHANTADURGA DEVASTHAN, THR.
ITS SPECIAL ATTORNEY, SHRI SATISH
HALDANKAR.

... Petitioner

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS.,

... Respondents

Mr. Devidas J. Pangam, Advocate for the petitioner.
Mr. P. Dangui, AGA for respondent nos. 1 to 4.
Mr. Sagar Dhargalkar, Advocate for R.no.5.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 31st March, 2016

P.C.

Heard Mr. D. Pangam, learned counsel appearing for the petitioner, Mr. Dangui, learned Additional Government Advocate appearing for the respondent nos. 1 to 4 and Mr. Dhargalkar, learned counsel appearing for the respondent no.5.

2. Upon hearing the learned counsel appearing for the respective parties, the main grievance of Mr. Pangam, the learned counsel appearing for the petitioner, is that the statutory authorities are not performing their functions, as according to him, though some illegal constructions have been put up in the property and complaints have been lodged before such authorities, no action has been taken against such illegal construction. The learned counsel appearing for

respondent no.5 has pointed out that even before filing of the above petition, the respondent no.5 had initiated action against the persons occupying such structures and the show cause notices have been issued to such occupants and some of them have already filed their replies. The learned counsel further points out that in the meeting of the Village Panchayat a final decision with regard to the subject construction would be taken. The learned counsel further submits upon instructions of the Secretary of the respondent no.5 that the show cause notices would be finally decided within three months from today. The learned Additional Government Advocate appearing for the respondent nos. 1 to 4 also points out that the Deputy Director of Panchayats has invoked power under Section 66(5) of the Goa Panchayat Raj Act, 1994 in respect of disputed grievance and that such action would be finally decided within three months from today in accordance with law.

3. Taking note of the grievances raised by Mr. Pangam, the learned counsel appearing for the petitioner and considering that the concerned authorities have already initiated action in respect of the alleged illegal construction, we find that the above writ petition can be disposed of by accepting the statement of the learned Additional Government Advocate as well as the learned counsel appearing for the respondent no.5 upon instructions.

4. At this stage, the learned counsel appearing for the respondent

no.5 submits that the petitioner should co-operate with the respondent no.5 in taking an appropriate decision in the matter. Mr. Pangam, the learned counsel points out that the petitioner shall render all necessary assistance to the respondent no.5 with that regard.

5. Taking note of the said statement of the learned counsel for the petitioner, we dispose of the above writ petition by accepting such statements of the learned Additional Government Advocate appearing for the respondent nos. 1 to 4 and the learned counsel appearing for the respondent no.5 upon instructions of the Secretary, who is present in the Court. The writ petition stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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