

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 747 OF 2014

MRS. CHANDRAWATI M. GAWADE AND
ANR.

... Petitioner

Versus

DIGAMBAR VASUDEV NAIK.

... Respondent

Mr. Gaurish N. Agni and Mr. E. Usapkar, Advocates for the
petitioners.

Mr. Joaquim Godinho, Advocate for the respondent.

Coram:- C. V. BHADANG, J.

Date:- 19th October, 2016

P.C.

Not on board. Taken on board by consent of parties.

2. The photographs produced by the respondent, which are
marked X and Y for identification, are taken on record.

3. The learned Counsel for the respondent, on instructions, states
that three metre wide unobstructed access as shown in the
photographs, shall be maintained. The learned Counsel for the
respondent further states that the respondent shall maintain necessary
setback as per the approved plan. Both the statements are accepted.

4. In this view of the matter, the learned Counsel for the
petitioners, on instructions, seeks permission to withdraw the writ

petition. The petition is disposed of as withdrawn. Rule is discharged, with no order as to costs.

5. Needless to mention that in the event there is any construction in breach of the approved plan, it would be open for the appropriate Authority to take action in accordance with law.

6. Rival contentions of the parties are left open, to be gone into at the trial of the suit.

C. V. BHADANG, J.

SMA