

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 161 OF 2016

SHRI.UMESH NARAYAN CHARI. ... Petitioner
Versus
VILLAGE PANCHAYAT OF MOIRA,
THROUGH ITS SECRETARY. ... Respondent

Mr. Devidas J. Pangam and Mr. S. P. Munj, Advocates for the
Petitioner.
Mr. J. Ramaiya with P. Chopdekar, Advocates for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 22nd July, 2016

P.C.:

The first respondent/ Village Panchayat had issue a demolition notice pertaining to two structures, namely, a residential house and a shed having a saw mill. The petitioner challenged the same before the learned Addl. Director of Panchayats, who by order dated 24/02/2014 partly allowed the appeal and while setting aside the impugned notice dated 13/6/2011, the matter has been remanded back to the Village Panchayat to decide it afresh. The petitioner on a premise that the notice has only been partly set aside to the extent of the residential house challenged the same before the learned District Judge in Civil Revision Application no.6/2014. Thus the only apprehension raised on behalf of the petitioner is that the notice has been partly set aside to the extent of the residential house and not relating to the shed having a saw mill.

2. The learned counsel for the first respondent states that this Court may pass appropriate orders and in view of the remand the Village Panchayat shall abide by the directions as may be given.

3. On hearing the learned counsel for the parties it appears that the impugned notice has been set aside and the matter has been remanded. It would be thus for the Village Panchayat to hear the petitioner on the demolition notice both pertaining to the residential house and the saw mill. The Village Panchayat shall decide the same after hearing the petitioner in accordance with law. The petition is disposed of in the aforesaid terms with no order as to costs. Rival contentions of the parties are left open.

C. V. BHADANG, J.

ap/-