

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 155 OF 2017

SHRI. ANIL CANDOLCAR., ... Petitioner
Versus
THE POLICE INSPECTOR, VASCO POLICE
STATION AND 4 ORS., ... Respondents

Mr. Sebastian Vales, Advocate for the petitioner.
Mr. R. Shivolkar, Addl. Government Advocate for the
respondent nos. 1, 3 and 4.
Mr. Amay Arjun Phadte, Advocate for the respondent no.5.

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

Date:- 26th April, 2017

P.C.

Heard Mr. Sebastian Vales, learned counsel appearing for the petitioner, Mr. R. Shivolkar, learned Addl. Government Advocate appearing for the respondent nos. 1, 3 and 4 and Mr. Amay Phadte, learned counsel appearing for the respondent no.5.

2. The grievance of the petitioner is that no action is being taken by the respondent no.2 on a complaint lodged by the petitioner. But however, Mr. A. Phadte, learned counsel appearing for the respondent no.5 has pointed out that based on the complaint lodged by the petitioner, the respondent no.2 has issued stop work order and show cause notice to the respondent no.5 which is under consideration before the Chief Officer of the

respondent no.2. It is further pointed out that the stop work order is still in operation and the respondent no.5 has accordingly stopped the construction activity in the subject property by awaiting the final decision on the show cause notice.

3. The learned Addl. Government Advocate appearing for the respondent nos.1, 3 and 4 also confirms that no construction activity is being carried out by the respondent no.5. As the authority has already initiated action and in view of the statement made by the learned counsel appearing for the respondent no.5, we are of the opinion that the question of examining the grievance of the petitioner in the present petition under Article 226 of the Constitution of India would not at all be justified. Keeping all contentions of both the parties open, the petition stands disposed of.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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