

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 176 OF 2017

MR. SITAKANT K. PARAB., ... Petitioner
Versus
STATE OF GOA, THR. THE CHIEF
SECRETARY AND 3 ORS., ... Respondents

Mr. Eeshan Usapkar, Advocate for the petitioner.
Mr. Dattaprasad Lawande, Advocate General with Ms. N.
Kholkar, Additional Govt. Advocate for the respondents No.1 to
3.
Mr. Shridhar S. Kamat, Advocate for the respondent No.4.

Coram:- F. M. REIS &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 15th June, 2017

P.C.:

Heard Mr. Eeshan Usapkar, learned Counsel appearing for the petitioner, Mr. Dattaprasad Lawande, learned Advocate General appearing for the respondents No.1 to 3 and Mr. Shridhar Kamat, learned Counsel appearing for the respondent No.4.

2. The petition claims inaction on the part of the respondents on the complaint dated 5th February, 2017 made to the respondent No.2 on the ground that the respondent No.4 had illegally allotted a plot of land, being Plot No.27 of Survey No. 23/1 of Village Sirsaim, belonging to the respondent No.4, to Shri Chatur Damodar Parsekar.

3. During the course of hearing of the above petition, Mr. Shridhar Kamat, learned Counsel appearing for the respondent No.4, upon instructions of the respondent No.4, has pointed out that no plot has been allotted to said Chatur Damodar Parsekar, nor any provisional possession granted to him or to any other person in respect of the subject-plot.

4. Taking note of the said statement of the learned Counsel appearing for the respondent No.4, upon instructions, which stands accepted, we find that the basis of the said complaint itself would not survive and, as such, the question of issuing direction as claimed by the petitioner, would not arise in the present petition under Articles 226 and 227 of the Constitution of India.

5. Keeping all contentions of the petitioner open, the petition stands disposed of accordingly.

PRITHVIRAJ K. CHAVAN, J.

F. M. REIS, J.

ssm.