

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 244 OF 2017**

R. Anthony Samy Gaunder,
major of age,
r/o. H.No.215/34(Old),
215/34(A) (new)
Bella Vista Vaddo,
Sangolda, Bardez, Goa.

..... **Petitioner.**

V/s

1. The Administrator,
Comunidades of North Zone,
Mapusa, Bardez, Goa.

2. The Attorney,
Comunidade of Sangolda,
Sangolda, Bardez, Goa.

3. Dy. Collector and Sub-Divisional Magistrate,
Mapusa, Bardez, Goa.

4. Dy. Collector and
Sub-Divisional Magistrate North Goa,
Incharge of Demolition Squad,
Office at Panjim, Tiswadi, Goa.

5. The Collector,
North Goa Collectorate Building,
Panaji, Goa.

6. State of Goa,
through Chief Secretary,
Secretariat, Porvorim, Goa.

..... **Respondents.**

Mr. J. Godinho, Advocate for the petitioner.

Mr. S. D. Lotlikar, Advocate General with Mr. P. Dangui, Additional
Govt. Advocate for the respondents No.1, 3 to 6.

**CORAM :- ANOOP V. MOHTA &
C.V. BHADANG, JJ.**

Date :- 06/03/2017.

ORAL JUDGMENT :- (PER ANOOP V. MOHTA, J.)

Heard Mr. J. Godinho, learned Counsel appearing for the petitioners, and Mr. S. D. Lotlikar, learned Advocate General appearing for the respondents No.1, 3 to 6.

2. Rule. Learned Counsel appearing for the respondents waive service. Heard forthwith, with the consent of the learned Counsel.

3. We are inclined to dispose of the present writ petition, based on the orders passed in similarly placed writ petitions, namely writ petitions No.194, 195, 196, 197 of 2017, protecting the residential house of the petitioner by keeping the subject demolition order in abeyance for a period of four weeks from today, so as to enable the petitioner to move the competent forum or in pending proceedings to get an appropriate relief in connection with the subject-structure, in accordance with law. It is, however, made clear that if no

reliefs are obtained within the said period, the subject-demolition order would automatically be in operation. All contentions of both the parties, on merits, are left open.

4. Rule is disposed of in the above terms.

C.V. BHADANG, J.

ANOOP V. MOHTA, J.

ssm.