

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 273 OF 2017

SMT. SHEHNAZ SHAIKH., ... Petitioner
Versus
STATE OF GOA, THR. CHIEF SECRETARY
AND 8 ORS., ... Respondents

Shri Balkrishna Prakash Sardessai, Shri Vilas Parab and Ms. Sonali M. Ghadi, Advocates for the petitioner.
Shri S.D.Lotlikar, AG with Ms. A. Razaq, AGA for the respondent nos. 1 to 5, 8 and 9.
Shri A.D.Bhobe, Advocate for the respondent no.6.

Coram:- ANOOP V. MOHTA &
NUTAN D. SARDESSAI, JJ.

Date:- 15th March, 2017

Final Order :

On hearing the learned counsel appearing for the respective parties and considering the urgency so expressed by the learned counsel appearing for the petitioner, we are inclined to dispose off the present writ petition as based upon the order dated 22.12.2016 passed by this Court in PIL No.25/2016. The Chief Officer, Municipal Council-respondent no.6 based upon the final order dated 22.12.2016 by communication dated 3.3.2017 sealed the premises, evicted the whole family of the petitioner and they are without shelter. They have also disconnected the water supply and electric supply to the residential house of the petitioner.

2. Admittedly, the appeal against the final order dated 10.10.2016 filed by the petitioner under the provisions of Section 184(d) of Goa Municipalities Act, 1968 is pending for hearing before the Municipal Appellate Tribunal, Panaji Goa. The application for stay filed along with the appeal by the petitioner was also not considered and the same is pending. Now, the learned Counsel appearing for respondent no. 6, on instructions of the Chief Officer Shri Pramod Dessai-respondent no.6, withdrawing the notice-communication dated 3.3.2017 forthwith. They will forthwith unseal the residential premises, reconnect the electricity and water supply to the petitioner.

3. However, considering earlier order passed by the Division Bench of this Court referred above, we are inclined to direct the Appellate Authority to decide the appeal as filed by the petitioner as early as possible, preferably within six weeks, in accordance with law. The concerned respondent nos.6, 8 and 9 are directed to unseal the residential premises, restore the water supply and electric supply, forthwith. The parties shall not wait for the Court orders or authenticated copy of such order, as the order is passed in presence of the parties and their respective counsel concerned.

4. The petition is disposed off accordingly in the aforesaid

terms. No costs.

5. Authenticated copy of this order be furnished to the parties.

NUTAN D. SARDESSAI, J.
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ANOOP V. MOHTA, J.