

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.452 OF 2016**

Mr. Narayan Datta Naik,
s/o. Datta N. Naik,
Aged 48 years, business,
R/o. H.No.278/1(3),
Savarfond Sancoale-Goa.

... Petitioner

Versus

1. State of Goa,
through its Chief Secretary,
having office at Secretariat,
Porvorim, Bardez-Goa.
2. The Deputy-Collector & S.D.O.,
Vasco, Mormugao-Goa.
3. The Administrator of Comunidade,
of South Goa, having
office at Margao-Goa.
4. Comunidade of Sancoale,
Through its Attorney,
Sancoale, Mormugao-Goa.
5. Shri Pratap Mardolkar,
S/o. Shri Anant Mardaolkar,
aged 56 years, R/o. H.No.84,
Alto Dabolim-Goa.
6. Shri Ramnath Naik,
S/o. Ravloo Naik, aged 54,
R/o. H.No.175/D,
Alto Dabolim-Goa.
7. Shri Gaurish Naik,
S/o. Dattaram Naik,
aged 54, H.No.271/1,
Mayer, Sancoale-Goa.

8. Shri Marian B. Coutinho,
S/o. Francisco Coutinho,
aged 43, R/o. H.o.222,
Church Street, Cortalim-Goa.,
Mormugao-Goa.

... Respondents

Shri M.B. Da Costa, Senior Advocate with Shri Athnain Naik, Advocate for the Petitioner.

Shri D. Lawande, Advocate General with Ms. Susan Linhares, Additional Government Advocate for the Respondents No.1, 2 & 3.

Shri H.D. Naik, Advocate for the Respondent No.4.

Shri D. Pangam, Advocate for the Respondents No.5 to 8.

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

Date:- 27th June, 2017

ORAL JUDGMENT : (Per F.M. Reis, J.)

Heard Shri M.B. Da Costa, learned Senior Counsel appearing for the petitioner, Shri D. Lawande, learned Advocate General appearing for the respondents no.1 to 3, Shri H.D. Naik, learned Counsel appearing for the respondent no.4 and Shri D. Pangam, learned Counsel appearing for the respondents no.5 to 8.

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

3. The grievance of the petitioner is the non implementation of an order of demolition issued by the respondent no.3 with regard to the subject construction put up by the respondents no.5 to 8.

4. On the last date of hearing, Shri Pangam, learned Counsel appearing for the respondents no.5 to 8 has pointed out that the said respondents had filed an application for regularisation which is pending before the respondent no.3.

5. Shri D. Lawande, learned Advocate General points out that regularisation application is pending before the respondent no.3 since the year 2012 and that such an application shall be disposed off within four weeks from today in accordance with law. The learned Advocate General has also pointed out that in case the application for regularisation is not decided favourably necessary action will be taken by the concerned Authorities in accordance with law within four weeks thereafter.

6. Accepting the said statement of the learned Advocate General and the learned Advocates appearing for the concerned Authorities, we dispose off the above petition. Rule stands disposed off accordingly.

Parties to act on the authenticated copy of the order.

NUTAN D. SARDESSAI, J.
NH/-

F. M. REIS, J.