

IN THE HIGH COURT OF BOMBAY AT GOA.

CONTEMPT PETITION NO.23 OF 2012

Mr. Sylvester D'Souza,
Major of age,
r/o Saunto Waddo,
Calangute,
Bardez, Goa.

..... Applicant

V e r s u s

1. Ana Maria D'Souza,
major of age,
The Sarpanch of Village
Panchayat of Calangute,
with her office at Calangute,
Bardez-Goa.
2. Kishore D. Pagui,
major of age,
The Secretary of Village Panchayat
of Calangute,
with his office at Calangute,
Bardez-Goa.
3. Joseph Sequeira,
major of age,
Former Sarpanch,
Then Secretary of Village Panchayat of
Calangute,
Gaurawaddo, Calangute, Goa.
4. Subodh V. Prabhu,
major of age,
Prabha Building,
Flat No.3-D,
B. B. Borkar Road,
Alto-Porvorim, Goa,
Former Secretary,
Village Panchayat of Calangute ... Contemnors
(The above are respective registered addresses).

Mr. P. S. Lotlikar, Advocate for the petitioner.

Mr. C. Carvalho, for the respondents no.1 and 3.

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

DATE : 3rd March, 2017.

ORAL JUDGMENT : (Per ANOOP V. MOHTA, J.)

The present Contempt Petition is filed in PIL Writ Petition No.5 of 2012 by the petitioner as inspite of the Order dated 29/02/2012 by this Court to take steps no action initiated / taken by the respondents as directed within eight weeks. This Court has admitted the matter.

2. The Sarpanch- Respondent no.3 by affidavit dated 12/07/2016 pointed out and placed on record the documents to show that they have taken steps based upon the impugned Order. It is specifically averred in paragraph no.11 as under:

" 11. I state that I have highest respect to this Hon'ble Court as well as the Order passed by this Hon'ble Court. I state that there was no intention whatsoever to disobey the Order or direction issued by this Hon'ble Court. I state that in any even I tender my unconditional apology before this Hon'ble Court for not deciding the matter within the time granted by this Hon'ble Court which may kindly be accepted and the notice issued to the respondents be discharged."

3. There is no issue now that the Panchayat has taken action though late. Merely because other respondents have not filed reply and/ or not appearing in the Court should not be the reason to keep this Contempt Petition pending, as the affidavit filed by the respondent no.3 ultimately refers to the action being taken by the Panchayat. In any way, there is no point now to proceed with the contempt proceedings further. Therefore in view of the above averments in paragraph no.11 as referred above, we are inclined to dispose off this Contempt Petition.

O R D E R

1. The Contempt Petition is disposed off.
2. The contempt notice stands discharged.
3. No costs.

C. V. BHADANG,J.

ANOOP V. MOHTA,J.

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