

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 651 OF 2017

SHRI. PRADEEP DUGGAL THR. POA
SHRI. ATUL DUGGAL.,

... Petitioner

Versus

CANACONA MUNICIPAL COUNCIL, THR.
ITS CHIEF OFFICER AND 2 ORS.,

... Respondents

Mr. Gaurish N. Agni, Advocate for the petitioner.
Mr. Sudesh Usgaonkar, Advocate for respondent no. 1.
Mr. Dattaprasad Lawande, Advocate General with Ms. P.
Kalangutkar, Additional Government Advocate for respondents
no. 2 and 3.

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

Date:- 24th July, 2017

P. C.

Heard Mr. Gaurish Agni, learned Counsel appearing for the petitioner, Mr. Dattaprasad Lawande, learned Advocate General appearing for the respondents no. 2 and 3 and Mr. Sudesh Usgaonkar, learned Counsel appearing for the respondent no. 1.

2. The grievance of the petitioner is that the petitioner preferred an appeal dated 17.07.2017 before the respondent no. 2, challenging the order of refusal for regularisation of the structure, passed by the respondent no. 3 wherein an interim relief has been sought to stay the operation of such order. The learned Counsel further points out that the appellate authority has

not been sitting as the Assembly Session is in session. The learned Counsel as such points out that an interim relief be granted to the petitioner.

3. Mr. Dattaprasad Lawande, learned Advocate General however submits that the demolition order dated 03.10.2013 would not be implemented until the interim application for stay filed by the petitioner is disposed of by the appellate authority. Accepting the said statement of Mr. Lawande, the learned Advocate General, nothing survives in the petition which stands, accordingly, disposed of.

4. Parties to act on the authenticated copy of this Order.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

msr