

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 695 OF 2017

MARCELINA SIMOES, THR. POA OF
XAVIER MANUEL SIMOES.,

... Petitioner

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY, AND 4 ORS.,

... Respondents

Mr. Rohit Bras De Sa, Advocate for the Petitioner.
Mr. R. Shivolkar, Addl. Government Advocate for Respondent
Nos.1 to 3.

Coram:- N. M. JAMDAR &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 12th December 2017

P.C.

The learned counsel for the Petitioner states that an order has already been passed by the Mamlatdar and confirmed by the Collector regarding the opening of an access/traditional pathway. The learned counsel submits that there is an electricity pole which is dangerously close to the pathway which may cause an accident.

2. The notice is issued to Respondent No.4 in this petition and served on Respondent No.4. None appears for respondent No.4.

3. Considering the limited nature of relief sought by the Petitioner, it will be appropriate that the Chief Engineer looks into the issue of the electricity pole with exposed wire as stated, which may cause danger to the public. The Chief Engineer may call the Petitioner and Respondent No.4 to ascertain the factual position and also can depute an officer to examine the spot. The Chief Engineer will accordingly take necessary decision in this regard as early as possible preferably within a period of 10 weeks from today. We have issued the above direction to the Chief Engineer in larger public interest and to avoid any unforeseen incident which may occur if what the Petitioner says is correct.

4. The Writ Petition is accordingly disposed of.

PRITHVIRAJ K. CHAVAN, J.

N. M. JAMDAR, J.

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