

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 937 OF 2017

MOHAMMED D. SAYYAD., ... Petitioner

Versus

MAMLATDAR OF DHARBANDORA TALUKA., ... Respondent

Mr. Raviraj R. Chodankar, Advocate for the Petitioner.

Coram:- C. V. BHADANG, J.

Date:- 14th November 2017

P.C:

Heard the learned Counsel for the petitioner. Perused record.

2. The petitioner is challenging the judgment and order dated 18.04.2017, passed by the learned Administrative Tribunal, by which the action for demolition of the residential structure of the petitioner has been confirmed.

3. The learned Counsel for the petitioner does not dispute that the structure is by way of encroachment on Government land and admittedly, there is no license obtained for effecting the construction. The only contention raised is that the petitioner has filed an application for regularisation, which has not been decided by the competent authority.

4. Once the petitioner does not dispute that the structure is by way of an encroachment on Government land and that too, without construction license of the local authority, in my considered view, no case for interference is made out in the impugned order. On his own saying, the petitioner has applied for regularisation, which presupposes that the construction and the structure is unauthorised. The remedy of the petitioner, if any, in the matter of delay in deciding the application for regularisation lies elsewhere.

5. No case for interference is made out. The petition is accordingly dismissed.

C. V. BHADANG, J.

EV