

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 208 OF 2018

CHANDRAKANT KESHAV BHAGAT., ... Petitioner

Versus

CORPORATION OF THE CITY OF PANAJI,
THR. ITS COMMISSIONER/ DY.
COMMISSIONER AND ANR., ... Respondents

Shri Joaquim Godinho, Advocate for the petitioner.

Shri J. Abreu Lobo, Advocate for the respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 13th February 2018

P.C.

Heard Shri Godinho, the learned Counsel for the petitioner and Shri Lobo, the learned Counsel for the respondent no.2.

2. It is submitted by the learned Counsel for the respondent no.2 that the order of demolition has been executed yesterday. This position is not disputed on behalf of the petitioner. It is contended by the learned Counsel for the petitioner that the enquiry is necessary to find out the age of the compound wall as to whether it was existing prior to 1961.

3. I do not find that in the given circumstances, the petition can be entertained. The record discloses that a joint inspection was

conducted and the petitioner also filed a reply. The Corporation, by a final notice dated 08/03/2016, directed demolition of the compound wall, which was challenged by the petitioner before the Minister. The Minister dismissed the appeal on 27/12/2017, after which admittedly, there was no stay operating to the order of demolition. In view of the fact that the order is already executed, I decline to entertain the petition. The petition is, accordingly, dismissed. The petitioner would be at liberty take recourse to any other remedy, if any, available in law.

C. V. BHADANG, J.

SMA