

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.256 OF 2018.

Mukundraj M. Kirtani. Petitioner.

Versus.

State of Goa through its Chief
Secretary and others. Respondents.

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. V. Braganza,
Advocate for the Petitioner.

Mr. Sagar Dhargalkar, Additional Govt. Advocate for Respondents
No.1, 2, 4 & 5.

Mr. Iftikhar Agha, Advocate for Respondent No.3.

Mr. A. Borkar, Advocate for Respondent No.6.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 2 May 2018.

P.C.:

This Petition is filed making a grievance that the Respondent-Panchayat is not taking any action in respect of the construction undertaken by Respondent No.6. When the Petition last came up on board, it was pointed out to us that an appeal filed by Respondent No.6 is pending before the Additional Director of Panchayats and the hearing is scheduled. We had directed the Additional Director of Panchayats to give reasons while considering

the prayer for interim relief. Accordingly the hearing of the Petition was deferred.

2. The learned Counsel for the parties have placed before us an order passed by the Additional Director of Panchayats dated 20 April 2018, rejecting the prayer of Respondent No.6 for interim relief. Pursuant to the rejection of the prayer for interim relief, the Village Panchayat has requisitioned a Demolition Squad. The learned Counsel for Respondent No.6 states that he has instruction that Respondent No.6 intends to challenge the order rejecting the prayer for interim relief.

3. Since the action has been initiated by the Authorities and the prayer for interim relief has been rejected, we do not deem it necessary to keep the Writ Petition pending. When the demolition squad will be employed pursuant to the requisition made by the Village Panchayat, the Authority will carry out the demolition after giving 15 days advance notice to Respondent No.6 for demolition of the structure in question, unless contrary orders are passed by the competent Authority.

4. The Writ Petition is, accordingly, disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.