

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.578 OF 2018

Francis Maria

... Petitioner

Versus

The Mapusa Municipal Council & Anr. Respondents

Mr. L. Joseph Deva, Advocate for the Petitioner.

Mr. S. D. Padiyar and Mr. P. Shirodkar, Advocates for Respondent No.1.

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

Date : 14 June 2018.

P.C.:

By this petition, the Petitioner has sought two prayers. First, the Municipal Council should take action against the Respondent No.2. Second, the Municipal Council should ensure that all the houses existing on the western side of the road in question should be demolished.

2. As far as the first prayer is concerned, the learned counsel

representing the Respondent No.1-Municipal Council states that the stop work order-cum-show cause notice was issued to Respondent No.2. He states that the Petitioner also had to be given a show cause notice and stop work order.

3. As far as the second prayer is concerned, to a query to the learned counsel for the Petitioner, he stated that what he has filed is not a PIL Writ Petition. He is not able to explain as to why he has chosen to join only the Respondent No.2. The only grievance he has made is that the road is blocked due to various constructions, because of which an Ambulance cannot enter. Therefore, even if the house of Respondent No.2 is removed, the ultimate object of filing this petition cannot be achieved. In these circumstances, we are not inclined to consider the second prayer at the behest of such a Petitioner.

4. As far as the first prayer is concerned, the Municipal Council has already taken necessary steps which the Municipal Council should take to its logical ends as per law. The Writ Petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.