

IN THE HIGH COURT OF BOMBAY AT GOA

***MISC. CIVIL APPLICATION NO.487 OF 2018
IN
WRIT PETITION NO.284 OF 2017***

Shri Rajanikant Thanu Madkaikar ... Applicant

Versus

Shri Vassudev Limo Madkaikar & Anr. Respondents

Mr. E. Usapkar, Advocate for the Applicant.

Mr. Rohit Bras De Sa, Advocate for the Respondents.

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

Date : 3 July 2018.

P.C. :

By this application, the Applicant has prayed that the Applicant be permitted to put up the aluminium sheets on the roof of the house to prevent leaking and rain monsoon during this monsoon season. The learned counsel for the Respondents submits that under the guise of putting up such aluminium sheets, the Applicant may carry out further construction.

2. The request for putting up the aluminium sheets on the roof during the monsoon season cannot be considered as a frivolous request so as to reject the same. At the same time, it is necessary to ensure that the Applicant does not take advantage of this liberty. Therefore, in our opinion it would be in the interest of justice, we permit the Applicant to put up the aluminium sheets on the roof with conditions. The Applicant will file an affidavit within a period of two weeks from today that the said work of putting up the aluminium sheets is completed. After such affidavit is filed, a copy of the same be given to the Secretary of the Panchayat. It is the duty of the Secretary of the Panchayat to ensure that the Applicant will not go beyond putting up the aluminium sheets to cover the roof. With these directions, the application is disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.