

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.839 OF 2018

Mahendra R.P. Dharwatkar. Petitioner.

Versus

State of Goa and others. Respondents.

Mr. Iftikhar Agha, Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. Sagar Dhargalkar, Additional Govt. Advocate for Respondents No.1 & 2.

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

Date : 16 October 2018.

P.C.:

Heard the learned Counsel for the parties.

2. The Petitioner has sought the following reliefs :

“(a) For a writ of mandamus or any other appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction under Article 226 and 227 of Constitution of India directing, commanding, the Deputy Director of Panchayats (Respondent No.6) to decide the complaint dated 18/09/2017 of the Petitioner and the boundary dispute bearing no.DDPN/Demarcation/Merces/Tis/1/2013 pending before it, at the earliest and preferably within a time.

(b) For a writ of mandamus or any other appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction under Article 226 and 227 of Constitution of India directing, commanding, Block Development Office (Respondent No.2) to file report of factual position of boundary of Village Panchayat of Merces (Respondent No.3) and Village Panchayat Chimbel (Respondent No.4)."

3. It is an admitted position that if the dispute referred to in prayer clause (b) as above is decided, then the prayer clause (a) which is a complaint of the Petitioner, would also be substantially concluded. The learned Advocate General states that the dispute of the boundary between the Village Panchayat of Merces and the Village Panchayat of Chimbel, which is pending before the State Government would be decided by the Deputy Director of Panchayats within a period of six months.

4. We, accordingly, direct the Deputy Director of Panchayats to conclude this boundary dispute within a period of six months. Office bearers of both the Panchayats will co-operate with the Deputy Director of Panchayats in early disposal of this boundary dispute.

5. In view of this statement and the directions, it is not necessary to keep the Writ Petition pending, which is accordingly

disposed of. In case the boundary dispute is not decided within the period of six months, liberty to the Petitioner to revive the Petition.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.