

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.771 OF 2019

Antonio Maria Figueiredo. Petitioner.
Versus
The Village Panchayat of Siridao & ors. Respondents.

Mr. Vallabh D. Pangam, Advocate for the Petitioner.

Ms. Priyanka Kamat, Additional Govt. Advocate for Respondent No.2.

***Coram : M.S. Sonak &
Nutan D. Sardesai, JJ.***

Date : 14th October, 2019.

P.C.:-

Heard Mr. V. Pangam for the Petitioner.

2. The complaint in this Petition is that Respondents No.1 and 2 are not acting upon the Petitioner's complaint dated 27.12.2018, which is found at page 55 of the paper book of this Petition.

3. The record indicates that the Panchayat, by notice dated 05.01.2019, has already called upon Respondents No.3 and 4 to furnish certain documents. This is followed by yet another communication dated 22.02.2019, in which it is stated that the Panchayat has engaged surveyor for demarcation of boundaries.

4. Ms. P. Kamat, learned Additional Govt. Advocate for Respondents No.2 points out that it is for the Panchayat to initiate action in the complaint.

5. For the present, we only direct both, the Panchayat, as well as the Senior Town Planner, to dispose of the Petitioner's complaint dated 27.12.2018, in accordance with law and on its own merits. In doing so, it is needless to add that the two authorities will have to comply with the principles of natural justice, particularly *qua* Respondents No.3 and 4 who are alleged to have put up some illegal construction.

6. From the averments in the Petition, we find that this is a civil dispute in which the Petitioner is alleging that his right of way is blocked. If this be so, nothing prevents the Petitioner from resorting to ordinary civil remedies available to him, as well.

7. With the aforesaid direction, this Petition is disposed of.

8. All concerned to act on the basis of an authenticated copy of this order.

Nutan D. Sardesai, J.

M.S. Sonak, J.