

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 444 OF 2019

SHAIKH FAIYAZ.,

... Petitioner

Versus

VALPOI MUNICIPAL COUNCIL, THR. ITS
CHIEF OFFICER AND ANR.,

... Respondents

Adv. Pavithran A.V for the Petitioner.

Adv. S. D. Padiyar with Adv. P. Shirodkar for Respondent no.1.

Adv. Padgaonkar Kishan C for Respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 30th September, 2019

Oral Order:

Heard the learned counsel for the parties.

2. The challenge in this petition is to the order of demolition dated 24/1/2018 passed by the first respondent/Municipal Council which has been confirmed by the Goa Municipalities Appellate Tribunal (Tribunal, for short). Admittedly, there is no permission/licence obtained before undertaking the subject construction. In such circumstances, no case for interference is made out.

3. At this stage, Mr. Pavithran, the learned counsel for the petitioner states that the petitioner shall apply for regularization

under section 184 (21) of the Goa, Daman and Diu Municipalities Act, 1968 to the first respondent within three weeks from today. Mr. Padiyar, the learned counsel for the first respondent states that if such an application is filed, the first respondent shall decide the said application on this own merits and in accordance with law, after hearing the petitioner within a period of four weeks, thereafter. It is made clear that this Court has not expressed any opinion on the merits of the application for regularization.

4. The petition is dismissed with no order as to costs.

C. V. BHADANG, J.

ap/-