

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 510 OF 2019

CHRISTINE D'SILVA, REP. BY HER
POA, NEIL D'SILVA.,

... Petitioner

Versus

STATE OF GOA, THR. CHIEF SECRETARY
AND 2 ORS.,

... Respondents

Mr. A. Fernandes, Advocate for the petitioner.
Ms. A. Kamat, Advocate for respondent nos.1 and 3.

Coram:- M. S. SONAK &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 5th August, 2019

P.C.

Heard Mr. A. Fernandes, learned Advocate for the petitioner.

2. He points out that service is complete upon all the respondents.

3. In fact, Ms. A. Kamat, learned Advocate appears for respondent nos.1 and 3. The contesting respondent, in fact, in this matter is respondent no.2 Village Panchayat. Despite notice, neither secretary nor any advocate appears for the respondent no.3.

4. The only relief claimed by the petitioner in this petition is direction to the respondent no.2 to process the petitioner's application for construction licence which was filed way back on 9.10.2017. Mr. A. Fernandes states that the petitioner was

constrained to file yet another application dated 4.7.2018 seeking construction licence. Mr. Fernandes points out that both the applications are not being processed and disposed of in accordance with law. In fact he points out that petitioner has addressed a communication to the panchayat but still the applications are not being processed.

5. In the aforesaid circumstances, we direct respondent no.2 to process the petitioner's applications dated 9.10.2017 and 4.7.2018 and to dispose of same in accordance with law. This means that panchayat has to take decision on its own merits and in accordance with law on the issue as to whether permission applied by the petitioner is to be granted or not. This process is to be completed within six weeks from the date of petitioner's filing authenticated copy of this order and within this six weeks respondent no.3 panchayat has to communicate its decision to the petitioner.

6. In view of the aforesaid directions, grievance raised by the petitioner stands substantially redressed. The petition is disposed of in aforesaid terms.

There shall be no order as to costs.

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

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