

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 540 OF 2019

SITARAM ATMARAM CHODANKAR., ... Petitioner

Versus

VILLAGE PANCHAYAT PIRNA, THR. ITS
SECRETARY AND ANR., ... Respondents

Mr. Prasheen Lotlikar, Advocate for the Petitioner.
Mr. Nigel Da Costa Frias and Mr. G. Malik, Advocates for
Respondent No.2.
Mr. D. Pangam, Advocate General with Mr. P. Faldessai, Addl.
Government Advocate for Respondent No.3.

Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.

Date:- 28th August, 2019

P.C.

Heard Mr. P. S. Lotlikar, learned counsel for the
Petitioner. He seeks leave to implead the Deputy Collector and
S.D.O., Mapusa, as Respondent No.3 since, it is now stated by
Respondent No.2 on affidavit that the application of Respondent
No.2 for regularisation of the structure which is the subject
matter of this petition is pending before the Deputy Collector and
S.D.O. Accordingly, leave is granted. Amendment to be carried
out forthwith.

2. Mr. D. Pangam, learned Advocate General alongwith Mr.
P. Faldessai appears for the Deputy Collector and S.D.O. i.e.
Respondent No.3.

3. We direct the Deputy Collector and S.D.O. to dispose of

the application made by Respondent No.2 in the prescribed form, which was received by the office of the Deputy Collector on 23.10.2018 on its own merits and in accordance with law within a period of three months from today. The Deputy Collector and S.D.O. to communicate its decision to the Petitioner, Respondent No.2 and the Village Panchayat of Pirna from the date the same is actually taken. Depending upon the decision of the Deputy Collector and S.D.O., the Village Panchayat of Pirna to take appropriate action, again in accordance with law in respect of the structure in question. The action should be taken within reasonable time, which according to us, shall be within three months from the date of receipt of the decision from the Deputy Collector and S.D.O. This is no doubt subject to remedy which the parties may have against the order of Deputy Collector and S.D.O.

4. The petition is disposed of in the aforesaid terms. There shall be no order as to costs.

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

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

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