

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.1145 OF 2018**

Antonio F. Fernandes

.... Petitioner

V/s

The Village Panchayat of
Naqueri-Betul & Ors.

.... Respondents

Mr. Nigel Da Costa Frias, Advocate for the Petitioner.

Mr. T. Pereira, Advocate for Respondent No.1.

Mr. Ganesh R. Naik, Advocate for Respondent No.4.

Mr. Sagar Dhargalkar, Additional Government Advocate for
Respondents No.2,3,5,6 & 7.**Coram :- S. C. GUPTE &
NUTAN D. SARDESSAI, JJ.****Date:- 8th JULY, 2019****ORAL ORDER : (Per S. C. GUPTE, J.)**

This petition challenges a communication dated 30/07/2018 passed by respondent no.2/Deputy Collector and SDO, Quepeme-Goa.

2. The communication of 30/07/2018 is a notice issued to the petitioner concerning a regularization application made before the Deputy Collector and SDO by respondent no.4. During the pendency of the petition, the Additional Director of Panchayats has passed an order allowing regularization of the structure of respondent no.4. The order gives her six months

time to regularize the structure. This order has been produced along with affidavit in reply of respondent no.1 Panchayat. Since now that there is an order of regularization passed by the Director of Panchayats, the petitioner will have to challenge the same if he is aggrieved. The petition challenging the notice issued by the Deputy Collector and SDO has been rendered infructuous.

3. In the premises, learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to challenge the order of Additional Director of Panchayats before an appropriate forum. Petition is dismissed as withdrawn with liberty as prayed. All rights and contentions of the parties on merits are kept open.

NUTAN D. SARDESSAI, J.

S. C. GUPTE, J.

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