

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 982 OF 2019

DOMINGOS CO-OP. HOUSING SOC. LTD.,
THR. ITS AUTH. REP., JOSE VINCENTE
AMBROSIO DE ARAUJO AND ANR., ... Petitioners

Versus

THE BLOCK DEVELOPMENT OFFICER AND
3 ORS., ... Respondents

Mr. Vibhav Rajiv Amonkar, Advocate for the Petitioners.
Mr. Pravin Faldesai, Additional Government Advocate for the
Respondent nos.1 to 3.

Coram:- M. S. SONAK &
C. V. BHADANG, JJ.

Date:- 18th November, 2019

ORAL ORDER

Heard Mr. Amonkar, the learned Counsel for the petitioners and Mr. Faldessai, learned Additional Government Advocate for the respondent nos.1 to 3.

2. The challenge in this petition is to the order dated 15.10.2019 made by the Block Development Officer (BDO). The order, is in fact, a notice under Section 66(6) of The Goa Panchayat Raj Act, 1994. Possibly, taking into consideration the urgency involved, there is a direction for stoppage of work. However, from the perusal of the order, it cannot be said that the direction for stoppage is final. The direction is pending the disposal of

proceedings.

3. Besides, we note that the petitioner has alternate and efficacious remedy available under the Goa Panchayat Raj Act, 1994 itself.

4. For the aforesaid reasons, we are not inclined to entertain this petition.

5. At this stage, Mr. Amonkar, the learned Counsel for the petitioners, submits that the BDO could be directed to dispose off the petition before it as expeditiously as possible after considering the reply, which the petitioners have already filed.

6. According to us, the request made by Mr. Amonkar, is quite reasonable and, accordingly, the BDO is directed to forthwith forward the record and proceedings to the Deputy Director, who is further directed to dispose off the matter as expeditiously as possible and, in any case, within a period of six weeks from the date of receipt of record and proceedings. Needless to add, the Deputy Director shall comply with principles of natural justice while disposing off the matter.

7. We make it clear that we have not adverted to the merits and, therefore, all contentions of all parties on merits are kept open.

8. The petition is disposed off in the aforesaid terms.

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

C. V. BHADANG, J.

M. S. SONAK, J.

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