

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.26 OF 2021**

NITISH V. NAIK

.. Petitioner

VS

THE COMMISSIONER,
CORPORATION OF THE
CITY OF PANAJI AND 3 ORS

.. Respondents

Mr. C. Fonseca, Advocate for the Petitioner.

Mr. A. D. Bhobe, Advocate for Respondent No.1.

Mr. D. Pangam, Advocate General with Mr. P. Arolkar, Additional
Government Advocate for Respondent No.2.

Mr. H. D. Naik, Advocate for Respondent No.3.

Mr. D. Lawande and Mr. P. Dangui, Advocates for Respondent No.4.

**Coram :- M. S. SONAK &
BHARATI H. DANGRE, JJ.****Date : 3rd February, 2021****P.C.**

Heard Mr. C. Fonseca, learned counsel for the Petitioner,
Mr. A. D. Bhobe, learned counsel for Respondent No.1, Mr. D.
Pangam, Advocate General appears along with Mr. P. Arolkar,
Additional Government Advocate for Respondent No.2, Mr. H. D.
Naik, learned counsel for Respondent No.3 and Mr. D. Lawande,
learned counsel for Respondent No.4.

2. The grievance of the Petitioner is that his complaints with

regard to some structures put up by Respondent No.4 are not being disposed of expeditiously by the concerned Authorities. Mr. Bhobe, learned counsel for Respondent No.1 points out that based on the Petitioner's complaint the proceedings have already commenced and in any case the complaint will be disposed of within two months from today.

3. Mr. H. D. Naik points out that the structures in question will fall within the jurisdiction of the Greater Panaji Planning and Development Authority. He however states that the said Authority will dispose of the Petitioner's complaint within two months from today.

4. Similarly, the learned Advocate General states that the conservation committee of the department of Town and Country Planning will also dispose of the Petitioner's complaint within two months from today.

5. We accept the aforesaid statements and direct the Authorities to act accordingly.

6. However, we clarify that we have not gone into the merits of the complaints and therefore, it will be for the concerned Authorities to look into the merits of the complaints and dispose of the complaints in accordance with law and on their own merits. We also clarify that in case

any adverse action is proposed, the Authorities will comply with the principles of natural justice and afford opportunity of hearing to the affected parties, including in particular the Respondent No.4.

7. The learned counsel for the Petitioner as well as the Respondent No.4 state that they will cooperate with the Authorities in the matter of expeditious disposal of the complaints.

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

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

BHARATI H. DANGRE, J

M. S. SONAK, J

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TARI AMRUT
NAGESH

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