

Niti

IN THE HIGH COURT OF BOMBAY AT GOA
CONTEMPT PETITION NO.13 OF 2020
IN
WRIT PETITION NO.123 OF 2019

NEVIL DIAS ...PETITIONER
Versus
HENRIQUE D'MELLO AND ANR. ...RESPONDENTS
Ms. K. Gracias, *Advocate for the Petitioner.*
Mr. Nigel Da Coasta Frias with Mr. G. Malik, *Advocate for the Respondents.*

CORAM: REVATI MOHITE DERE &
M. S. JAWALKAR, JJ.

DATED: 16th November 2021

ORAL ORDER :

1. Heard learned Counsel for the parties.
2. Learned Counsel appearing for the respondents has tendered an affidavit in reply of the said respondents. The same is taken on record.
3. In the said affidavit in reply, the respondents have stated that pursuant to the order dated 29.07.2019, passed by this Court, the Village Panchayat of Velsao had unanimously passed a resolution dated 09.08.2019, to call for the demolition squad on 11.10.2019, so as to carry out the demolition of the illegal construction of bungalow/structure constructed by (1) Mr. Querobina D'sa, (2) Estevam Dourado, (3) Caitano Dourado and (4) Albertina Dourado in the property bearing Survey No.34/1 of

village Pale Velsao. It is further stated in the said affidavit that the Village Panchayat of Velsao vide letter dated 29.08.2019 had requested the Block Development Officer, Mormugao Block to provide necessary demolition squad to demolish the illegal construction of the bungalow/structure at Survey No.34/1 of Village Pale Velsao. It is further stated that the Block Development Officer had also on various occasions requested the Deputy Collector, Mormugao, South Goa, to provide a demolition squad, however, the same was not provided. It is further stated that again on 21.10.2021, the Village Panchayat of Velsao addressed a letter to the Block Development Officer, Mormugao Block and requested him to provide the demolition squad to demolish the illegal construction on urgent basis, as the petitioner-Mr. Neil Dias had filed a Contempt Petition as against the respondents.

4. Pursuant to the said letter, the Deputy Collector had provided a demolition squad to carry out the demolition and accordingly the said illegal construction was demolished on 10.11.2021. Thus, it appears and which fact, is also not disputed by the learned Counsel for the petitioner, that the order dated 29.07.2019 has been complied with.

5. In view of the aforesaid, learned Counsel for the petitioner does not press the Contempt Petition. The petition is disposed of accordingly.

M. S. JAWALKAR, J.

REVATI MOHITE DERE, J.

NITI K
HALDANKAR

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NITI K HALDANKAR
Date: 2021.11.17
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