

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.167 OF 2021

SACHIN @ PRAMOD KALOKHE

... Petitioner

Versus

THE STATE OF GOA,
THR.CHIEF SECRETARY,
GOVT. OF GOA AND 5 ORS

...Respondents

Mr. Nigel Fernandes, Advocate for the Petitioner under Legal Aid Scheme.

Mr. D. Pangam, Advocate General with Mr. Geetesh Shetye, Additional Government Advocate for Respondent Nos. 1, 3 and 4.

Mr. Pravin Faldessai, Additional Government Advocate for Respondent No.2.

**CORAM: M. S. SONAK &
SMT. M. S. JAWALKAR, JJ**

DATED: 4th October 2021

P.C.

1. Heard learned counsel for the parties.
2. In this petition, the Petitioner complains that the demolition order dated 15th October 2019 has not been fully implemented. Respondents dispute this position.
3. According to us, such disputed question of fact cannot be effectively adjudicated in the proceedings under Articles 226 and 227 of the Constitution of India.

4. Mr. Nigel Fernandes who is appointed under the Legal Aid Scheme fairly points out that the Petitioner will have remedy under the provisions of the Goa Panchayat Raj Act, 1994 to agitate his grievance. Accordingly, we do not entertain the present petition but grant liberty to the Petitioner to take out appropriate proceedings before the appropriate authority under the provisions of the Goa Panchayat Raj Act, 1994 to seek redressal of his grievance. If such proceedings are indeed filed, the authority to consider disposing of them expeditiously.

5. With liberty as aforesaid, this petition is disposed of.

SMT. M. S. JAWALKAR, J

M. S. SONAK, J.

TARI AMRUT NAGESH Digitally signed by TARI AMRUT NAGESH
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