

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.253 OF 2021

AND

WRIT PETITION NO.254 OF 2021

MUBARAK ALI KHAN

...PETITIONER

Versus

VALPOI MUNICIPAL COUNCIL,

THR.ITS CHIEF OFFICER AND ANR.

...RESPONDENTS

Mr. K. Padgaonkar, Advocate for the Petitioner.

Mr. S.D. Padiyar with Mr. P. Shirodkar, Advocate for the Respondent No.1.

Mr. P. Talaulikar, Advocate for the Respondent No.2.

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

DATED: 27th September 2021

ORAL ORDER :

1. Heard Mr. K. Padgaonkar, learned Counsel for the petitioner, Mr. S.D. Padiyar, learned Counsel for the respondent no.1 – Municipal Council and Mr. P. Talaulikar, learned Counsel for the respondent no.2.

2. By these petitions, the petitioners seek enforcement of the demolition order dated 24.01.2018, which has attained finality. This demolition order concerns a structure put up by respondent no.2.

3. The demolition order dated 24.01.2018 was challenged before the Goa Municipal Appellate Tribunal, but such challenge was dismissed vide judgment and order dated 13.03.2019. Thereafter, even a petition against this order was dismissed. This means that the demolition order has attained finality and the same is required to be enforced

4. Mr. Padiyar, learned Counsel for the Municipal Council states that no demolitions were carried out because of the COVID pandemic. He states that the demolition will now be carried out within six weeks from today.

5. According to us, the demolition order which has attained finality is now required to be implemented. Such implementation cannot be delayed any further. Therefore, we accept the statement on behalf of the Municipal Council that the demolition order will now be implemented within six weeks from today and direct the Council to act accordingly.

6. Both the petitions are disposed of in the aforesaid terms.

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

M. S. JAWALKAR, J.

M. S. SONAK, J.

NITI K
HALDANKAR

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NITI K HALDANKAR
Date: 2021.09.28
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