

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.104 OF 2021

ROHIDAS B. SAKHALKAR

... Petitioner

Versus

**VILLAGE PANCHAYAT OF
CORTALIM, REPRESENTED
BY ITS SECRETARY AND 3
ORS**

... Respondents

Mr. Ravi Anand holding for Mr. B. Khandeparkar, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Mr. G. Shetye, Additional Government Advocate for Respondent Nos. 2 and 3.

Mr. B. Sardesai, Advocate for Respondent No. 4.

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

DATED: 1st September 2021

P.C.

1. Heard the learned counsel for the parties.
2. The learned Advocate General who appears on behalf of Respondent Nos. 2 and 3 has stated that the application for regularization of structure in question made by Respondent No.4 has already been dismissed.
3. Mr. R. Anand, learned counsel for the Petitioner submits that with the dismissal of application seeking regularization, the

relief in terms of prayer clause (A) of the petition has been worked out. He however submits that now that the regularization application has been dismissed, it is only appropriate that the Respondent No.1 be directed to enforce its own demolition order dated 26th September 2018, within a time bound manner.

4. Mr. Sardesai, learned counsel for Respondent No.4 points out that an appeal against the demolition order is pending. Mr. Anand clarifies that even this appeal has been dismissed for default and what is pending is the application for restoration of appeal.

5. In the aforesaid circumstances, we direct that the demolition order dated 26th September 2018 should be enforced by Respondent No.1-Panchayat within four weeks from today unless in the meanwhile the execution of such demolition order is stayed by any authority.

6. With the aforesaid terms, this petition is disposed of.

7. All concerned, including in particular the Respondent No.1 – Panchayat to act based on the authenticated copy of this order.

SMT. M. S. JAWALKAR, J

M. S. SONAK, J.