

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 62 OF 2023**

DAYANAND G. NARVEKAR

... Petitioner.

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 5 ORS

... Respondents.

Mr Ashwin D. Bhobe, Advocate *for the Petitioner.*

Mr D.J. Pangam, Advocate General with Mr Shubham Priolkar, Addl. Govt. Advocate *for Respondent No.1.*

Mr Salil Saudagar, Advocate *for Respondents No.3, 4 and 5.
Respondent No. 6 in person.*

**CORAM : M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATE : 10th APRIL 2023

P.C. :

1. Heard Mr Bhobe for the Petitioner. Learned Advocate General appears along with Mr Priolkar, Addl. Govt. Advocate for Respondent No.1. Mr Saudagar appears and waives service on behalf of Respondents No.3, 4 and 5. Devidas Pednekar- Respondent No.6 present in person. There is no clarity whether Respondent No.2 is served in this matter or not. However, for the order that we propose to make, no prejudice will occasion the Respondent No.2.

2. The Petitioner's grievance is that his complaint against the alleged illegal construction put up by Respondents No.3 to 6 is not diligently acted upon by the Mapusa Municipal Council (MMC).

3. However, the record indicates that the MMC has already issued work stoppage order, followed by show cause notices to Respondents No.3 to 6. This position is confirmed by Mr Saudagar, who appears for Respondents No.3 to 5.

4. Since the MMC has already taken cognizance of the Petitioner's complaint, we dispose of this Petition by directing the the Chief Officer, MMC to dispose of the show cause notices as expeditiously as possible and, in any case, not later than three months from today. The Chief Officer will have to comply with the principles of natural justice and, in the peculiar facts of the present case, opportunity of hearing can also be given to the Petitioner along with Respondents No. 3 to 6.

5. If the Petitioner and Respondents No.3 to 6 wish to file any additional material/replies, they are at liberty to do so within 15 days from today. All such material must be considered by the Chief Officer while disposing of the show cause notices. We clarify that we have not examined the rival contentions and, therefore, all contentions of all parties are left open to be decided by the Chief Officer, in the first instance.

6. The Petition is disposed of in the above terms. There shall be no order for costs.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.

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