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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.568 OF 2023

SANDEEP SHIRVOIKAR

... Petitioner

Versus

THE STATE OF GOA REP. THR
CHIEF SECRETARY AND 6 ORS.

... Respondents

Mr Vithal Naik, Advocate *for the Petitioner.*

Mr D. Pangam, Advocate General with Ms Akshata Bhat, Additional
Government Advocate *for Respondent Nos.1, 2, 4, 5 and 6.*

Mr S. Karpe, Advocate *for Respondent No.3.*

Mr Vibhav Amonkar with Mr S. Shetye, Advocates *for Respondent
No.7.*

**CORAM: M.S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED: 6th September 2023

P.C.:

1. Heard Mr Vithal Naik for the Petitioner. Mr D. Pangam, learned Advocate General, appears along with Ms Akshata Bhat, Additional Government Advocate, for Respondent Nos.1, 2, 4, 5 and 6. Mr Karpe appears for Respondent No.3 and Mr Vibhav Amonkar appears along with Mr S. Shetye for Respondent No.7.

2. The Petitioner complains about the non-implementation of the final notice/order of demolition dated 19.08.2021 issued by Respondent No.3

concerning the structure put up by Respondent No.7.

3. The Petitioner has pointed out that this demolition is pending since last two years, even though on no less than five occasions, the demolition squad was requisitioned. Mr Vithal Naik has placed before us a chart which *inter alia* shows that for one reason or the other, the demolition that was scheduled came to be deferred for reasons that, if correct, are not very satisfactory.

4. In any case, Mr Karpe, on instructions, states that a fresh requisition for demolition will be sent to the Deputy Collector (Respondent No.2) today itself. The learned Advocate General states that within a week from the receipt of requisition from Respondent No.3, the demolition squad will be provided to implement the final notice/order of demolition notice dated 19.08.2021.

5. Mr Vibhav Amonkar, learned Counsel for Respondent No.7, states that Writ Petition No.581/2023 has been filed to question the demolition notice and the order by which appeal against the same was dismissed. He, however, admits that till date, there is no interim relief granted in the said Writ Petition.

6. Therefore, we clarify that the demolition must proceed, subject to any orders passed in Writ Petition No.581/2023.

7. This petition is accordingly disposed of.

8. All concerned to act on an authenticated copy of this order.

BHARAT P. DESHPANDE, J.

M.S. SONAK, J.