

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.286/2024

ARJUN PANDURANG MAYEKAR

... PETITIONER

Versus

STATE OF GOA THR. THE CHIEF
SECRETARY AND ORS.

... RESPONDENTS

Ms Vaishali Mahato, Advocate for the Petitioner.

Mr D. Pangam, Advocate General with Mr S. Priolkar, AGA for the
State.

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

DATE: 10th APRIL 2024

P.C.:

1. Heard Ms Vaishali Mahato for the petitioner. Mr D. Pangam, learned AG appears with Mr S. Piolkar, learned AGA for respondents no.1 and 3.
2. For the order that we propose to make, no notice is necessary to the second and fourth respondents.
3. Petitioner's grievance is that his complaint dated 10.07.2023 against a construction carried out by the fourth respondent is not being attended to by the second respondent i.e. Village Panchayat of Moira. Accordingly, the relief sought is for direction on the Panchayat to dispose of petitioner's complaint dated 10.07.2023 in a time-bound manner. The other grievance is about the disconnection of the electricity supply to the constructions undertaken by the fourth respondent.

4. From the petition, we note that the Panchayat, based on the petitioner's complaint has already issued a show cause notice dated 08.12.2023 to the fourth respondent. Ms Mahato states that till date this show cause notice has not been disposed of. Since the show cause notice was issued on 08.12.2023, we think that the same should be disposed of as expeditiously as possible and in any case within three months from an authenticated copy of this order being placed before the Panchayat. This according to us, is reasonable time for disposing of the show cause notice.
5. The Panchayat must grant an opportunity of hearing to the petitioner and the fourth respondent before disposing of this show cause notice. Within three months, the Panchayat must communicate its decision to the petitioner and the fourth respondent.
6. Since, all contentions of all parties are left open and we have only issued a direction for disposal of the show cause notice within a time-bound period, no notices are deemed necessary to the second and fourth respondents.
7. If ultimately the Panchayat finds that the structures are illegal and are required to be demolished, the disconnection would also follow. Therefore, we think that at this stage no separate directions regarding disconnection are necessary.
8. With the above directions, this petition is disposed of. There shall be no order for costs.
9. All concerned to act on an authenticated copy of this order.

VALMIKI MENEZES, J.

M. S. SONAK, J.

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