

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO.12/2022

WITH

WRIT PETITION NO.583/2017

DURGARAM SHANKAR NAIK

... PETITIONER

Versus

SURESH RAMSINGH

GURKHA AND 3 ORS.

... RESPONDENTS

Mr A. D. Bhobe with Ms A. Fernandes, Advocates for the
Petitioner.

Mr Rohan Desai with Ms Arya Parrikar, Advocates for
Respondents No.1 to 4.

CORAM: M. S. SONAK, J.

DATED: 12th JANUARY 2024

P.C.:

1. Heard Mr A. D. Bhobe for the Petitioner and Mr Rohan Desai for Respondents No.1 to 4.

2. The respondents have filed affidavits and even report of the Civil Engineer along with photographs. From the material produced on record I am satisfied that there is sufficient compliance with the undertaking recorded in the order dated 16.08.2017.

3. Mr Bhobe points out that there is no full compliance because some part of the wall and the structure which falls within 3 meters to the extent of about 20 cms. is not removed yet. From the material placed on record, this does appear to be a case to initiate any contempt proceedings. The photographs have also been produced showing the demolition. There is also a report of the Civil Engineer in the context of demolition and compliance with the undertaking.

4. Considering all these aspects, these Contempt Proceedings are dropped. There shall be no order for costs.

M. S. SONAK, J.

SUCHITRA
NANDAN
SINGBAL

Digitally signed by
SUCHITRA NANDAN
SINGBAL
Date: 2024.01.15
14:32:36 +05'30'