



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.548 OF 2024

DOMNIC SOARES AND ANR

... PETITIONERS

Versus

THE CHIEF OFFICER MARGAO MUNICIPAL
COUNCIL AND 6 ORS.

... RESPONDENTS

Mr. Joaquim Godinho, Advocate for Petitioners.

Mr. Somnath Karpe with Mr. Anand Shirodkar, Advocates for the
Respondent No. 1.

Ms. A. Fernandes, Advocate for Respondent no.2.

Mr. Akshay Shirodkar, Advocate for Respondent nos. 3 to 7.

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

DATED :- 4th October, 2024

P.C.

Heard learned Counsel for the petitioners.

2. This petition seeks directions to respondents no. 1 and 2 to forthwith carry out site inspection and prepare the panchanama and make report of the said illegal structure and illegal business activities.

It is the contention of the learned Counsel for the petitioners that illegal construction and illegal trade/business is carried out by the respondents without any permission/licence from the concerned authority.

3. Mr. Karpe, learned Counsel appearing for Margao Municipal Council, points out that a show cause notice dated 16.09.2024 has already been issued to the respondent nos. 3 to 7 and the hearing is in progress. The grievance made by the learned Counsel for the petitioner is that the said show cause notice is only limited to illegal construction carried out and there is no show cause notice issued so far as illegal trade or business activities carried out in the premises.

4. Shri Karpe placed before us a copy of the roznama dated 24.09.2024 pursuant to the issuance of show-cause notice indicating that as regards the trade licence, the matter would be dealt with separately. However, we find that no show-cause notice has been issued in this regard. Shri Karpe submits that an appropriate show-cause notice will also be issued so far as carrying out illegal trade/business activities in the premises is concerned within a period of two weeks from today. Statement accepted.

5. The aforesaid show-cause notices are to be taken to their logical conclusion expeditiously in accordance with law and, in any case, within a period of eight weeks from today.

6. It is the grievance of the petitioners that the officials of respondent no.2 have been obstructed by the respondent no.3 when they had gone for inspection. If that is the case, the respondent no.2 can always seek police protection. The communication dated 22.08.2024 is issued by

the South Goa Planning & Development Authority (SGPDA) to Mr. Domnic Soares-respondent no.3 herein stating that the respondent no.3 used abusive language against the officials of the respondent no.2. If a request is made by the respondent no.2 for police protection, necessary assistance be provided by the local Police Station.

7. Keeping all the contentions open, the petition is disposed of. No costs.

BHARAT P. DESHPANDE, J.

M. S. KARNIK, J.