



Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**WRIT PETITION NO.657 OF 2024**

ALLAN VALLES

... PETITIONER

Versus

STATE OF GOA, THR. CHIEF  
SECRETARY AND 3 ORS

... RESPONDENTS

Mr Carvalho Laban Isidoro, Advocate for the Petitioner.

Mr D.J. Pangam, Advocate General with Mr Pravin Faldessai, Addl.  
Govt. Advocate for Respondents No.1 and 4.

Mr D.J. Pangam, Advocate General with Mr S. Priolkar, Addl. Govt.  
Advocate for Respondents No. 2.

**CORAM:- THE CHIEF JUSTICE &  
M. S. KARNIK, J**

**DATED :- 26th September, 2024**

P.C.:

1. Heard learned Counsel Mr Laban Carvalho for the Petitioner and Mr D.J. Pangam, learned Advocate General representing Respondents No.1, 2 and 4. In view of the proposed order, requirement of notice to Respondent No.3 is hereby dispensed with.

2. The grievance raised in this Petition, filed under Article 226 of the Constitution of India, is that though the Petitioner is the owner of the property comprised in Chalta No.31 of P.T. Sheet 95 of Panaji City, Respondent No.2 has not only demolished certain structures of the Petitioner standing on the said land, but has even encroached upon

some of the areas of the land belonging to the Petitioner. Accordingly, a prayer has been made to restore the Petitioner's possession over the land belonging to him.

3. Ordinarily, such a dispute would not have been adjudicated by the Court under Article 226 of the Constitution of India, and thus, we feel it appropriate to give directions to the concerned authorities to demarcate the land comprised in Chalta No.31 which, admittedly, belongs to the Petitioner as per letter dated 12/4/2024 written by the Mamlatdar of the Taluka concerned to the concerned Deputy Collector and S.D.O. For the reason that Chalta No.61 which belongs to the Government is contiguous to the land comprised in Chalta No.31, in case the demarcation on the spot of Chalta No.31 is undertaken, a clear picture would emerge as to whether the Petitioner has encroached on some of the land comprised in Chalta No.61 or there is some encroachment by the Government authorities in the land belonging to the Petitioner, which is comprised in Chalta No.31.

4. Accordingly, this Petition is disposed of finally with a direction to the Mamlatdar concerned to demarcate Chalta No.31 on the spot as per the records, in the presence of the Petitioner. We direct that the demarcation under this order shall take place by the authorities concerned tomorrow i.e. 27th September 2024 at 3.00 p.m., in the presence of the Petitioner or any of his representative for which purpose no separate further notice shall be given to the Petitioner. We

further direct, if for any reason the demarcation does not take place tomorrow as fixed by this Court, the same shall be conducted within a week thereafter.

5. The Writ Petition, thus, stands disposed of. No costs.

**M. S. KARNIK, J.**

**THE CHIEF JUSTICE,**