



Meena

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.463 OF 2023

VIKESH SHAMBA PHADTE

... PETITIONER

Versus

**THE BLOCK DEVELOPMENT OFFICER AND
6 ORS**

... RESPONDENTS

Mr. Preetam Talaulikar, Advocate for the Petitioner.

CORAM:- VALMIKI MENEZES, J.

DATED :- 9th January, 2025

P.C.:

1. After hearing the learned Counsel for the Petitioner, I find no infirmity with the order impugned in this petition. The Director of Panchayats cannot be said to have acted in transgression of the powers vested in it under Section 66(5) of the Panchayat Raj Act and appointing the BDO to carry out the inspection of the site and to ascertain and survey the exact location of the structure in the land under Survey No.156(part) and 156/1B. This was obviously necessitated to ascertain whether the allegation in the complaint of the Respondents that the Petitioner had constructed an illegal construction encroaching in Survey No.156(1B).

2. The Petition is dismissed however clarifying that after the report of the survey is placed before the Director of Panchayats, all the

parties would be entitled to file their objections to the report and the Director of Panchayats will have to consider the objections while disposing of the application.

3. The petition is dismissed with the above clarification.

VALMIKI MENEZES, J.