



Shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.464 OF 2024

VIJAY VASANT HARMALKAR
AND ANR

... PETITIONERS

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 3 ORS

... RESPONDENTS

Mr. Preetam Talaulikar, Advocate for the Petitioners.

Ms. Sulekha Kamat, Additional Government Advocate for
respondent no. 1.

Mr. Prayash Shirodkar, Advocate for Respondent No. 2.

Mr. Iftikhar Agha, Advocates for Respondent No. 4.

**CORAM:- BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.**

DATED :- 10th July 2025

P.C.

1. In the long sequence of events which are placed before us where the petitioner, right from 2013, objected to the requisite permissions obtained by Shri Dadapir K. Navalgund-Respondent No. 4 and has, from time to time, lodged complaints with the Chief Officer of the Municipal Council, alleging illegal construction on property bearing Survey No. 60/2013 of P.T. Sheet No. 13, situated at Mapusa, Bardez, Goa.

This saga continued till a show cause notice was issued to

the respondent no. 4 by the Chief Officer, Municipal Council, and the petitioner even approached this Court in an earlier petition, where directions were issued on 28/06/2021 to the Municipal Council to decide the show cause notices dated 26/05/2020 and Work Stop Order dated 02/06/2021 within a period of 8 weeks. In the meantime, since Mr. Dadapir applied for regularisation, the matter took a different turn and when the Chief Officer conducted hearing, it disposed of the show cause notices without assigning any reasons. This resulted in an appeal being filed by Mr. Dadapir before the Administrative Tribunal, which was remanded back for fresh consideration.

2. Once again on 23/08/2023, an order was passed by the Chief Officer of the Municipal Council, thereby disposing of the show cause notice dated 26/05/2020 and permitting the respondents to take appropriate action before the Competent Authorities to regularise the offending structure following due process of law. It is this order that has led to the filing of the present writ petition as the contention of the counsel for the petitioner is specific that the aforesaid order is not backed by appropriate reasons and such an unreasoned order cannot sustain.

3. In any case, the learned counsel for petitioner as well as the learned counsel appearing for respondent no. 4, do not dispute that Appeal No. 35/2024 is filed by respondent no. 5, raising challenge to the final notice of demolition on 28/08/2024, as he had failed to obtain order of regularisation and the Tribunal has granted stay.

We are informed that the proceedings before the Tribunal are now slated for hearing on 30/07/2025, and according to us, the interest of justice would be served by directing the Administrative Tribunal to conclude the proceedings of the appeal as expeditiously as possible and in no case later than three months.

We make it clear that the appellants as well as respondents in appeal shall render all necessary cooperation to the Tribunal for its expeditious disposal.

With the aforesaid directions, since we make it clear that we have not pronounced upon the merits of the matter, the Writ Petition stands disposed of.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.