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IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.693 OF 2017

WITH

WRIT PETITION NO.888 OF 2016

MISC.CIVIL APPLICATION NO.693 OF 2017

CHANDRAKANT KAMBLE AND 21 ORS.,

... APPLICANT

Versus

STATE OF GOA, THR. ITS CHIEF

SECRETARY AND 5 ORS.,

... RESPONDENT

WITH

WRIT PETITION NO.888 OF 2016

SHRI. CHANDRAKANT KAMBLE AND 21

ORS.,

... PETITIONER

Versus

STATE OF GOA, THR. ITS CHIEF

SECRETARY AND 5 ORS.,

... RESPONDENT

Ms S. Kakodkar, avdocate for applicant in MCA 1158/2024/F

Mr P. Arolkar, Additional Government Advocate for Respondent
Nos. 1, 2, 3, 5 and 6.

Mr J. F. Melo, Advocate for Respondent No.4.

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

DATED :- 16th July, 2025

P.C.

1. In Misc. Civil Application No.693 of 2017, the Administrator of Comunidade has filed an affidavit pursuant to the inspection carried out and the said affidavit has given a breakup of 28 structure which was originally ordered to be demolished out of which it is stated that 7 structures are pending for demolition for the reasons set out against these structures by mentioning its status in paragraph 7 of the affidavit.

2. As far as the case of Pooja Prakash Hoble, Mr Jose Roger Ferandes and Mr Chandrashekhar Uchappa Badigar at item nos. 2, 5 and 6 of the chart in paragraph 7 it is stated that since no proceedings are pending, necessary steps will be initiated in accordance with law to demolish the structures within a period of one month.

3. The affidavit in paragraph 10 states that action is also initiated under the provisions of Code of Comunidade in respect of 1

In respect of 14 proceedings, 4 proceedings are disposed of by passing orders of demolition and in that regard, steps are already been taken for its demolition and the demolition shall be carried out within one month.

As far as balance 10 matters are concerned, it is stated that they are pending at various stages and in any case the proceedings shall be disposed of within a period of three months.

4. Learned counsel for respondent no. 4, however, raised an objection that there is no time line stipulated for giving effect to the demolition order and therefore we direct that upon proceedings being disposed of and if the demolition orders are passed, within a period of three months, they shall be implemented.

5. Our attention is also invited to paragraphs 4 and 5 of the affidavit, where it is stated that two walls which are pending demolition and requisition shall be forwarded to the Executive Engineer, Work Division, Public Works Department Mapusa for demolition of the said structures and in regards to toilet block upon considering whether it is the construction within the Government scheme, the steps will be

taken to remove the same.

6. As far as the toilet block is concerned, we direct that if it is found that the same do not fall within any Government scheme, it shall be demolished forthwith and if it is found to be within the Government Scheme, it shall be relocated to an appropriate place within a period of six weeks.

As far as two walls are concerned, it is stated by the learned Addl. Govt. Advocate that the demolition of these walls are fixed on 7.8.2025

7. By recording that the undertaking given by the Administrator of Comunidade in its affidavit dated 25.6.2025 and accepting the same as an undertaking given to this Court, Misc. Civil Application No.693/2017 is disposed of.

8. In the wake of this order, Misc. Civil Application Nos. 508/2018, 27/2023 and 1158 of 2024/F stand disposed of.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.