



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION WP NO.9 OF 2024

ULHAS LAWANDE

... PETITIONER

Versus

STATE OF GOA THR THE CHIEF
SECRETARY AND 13 ORS

... RESPONDENTS

Mr Aniroodh Sardessai, Advocate for the Petitioner.

Mr Prashil Arolkar, Additional Government Advocate for
Respondent Nos.1, 2, 4 and 6.

Mr Hanumant D. Naik, Advocate for Respondent No.3.

Mr J. J. Mulgaonkar, Advocate with Ms Shweta Parulekar, Advocate
for Respondent Nos. 7(a) to 7(c) and 14.

Mr B. Fatarpekar, Advocate for Respondent No.5.

**CORAM:- BHARATI DANGRE &
ASHISH S. CHAVAN, JJ.**

DATED :- 20th September, 2025

P.C.

1. The present Public Interest Litigation is filed seeking issuance of a writ of mandamus to the Respondents No. 2 to 6 to take action against the transgressors in respect of the representation/complaint of the Petitioner.

The Petition refer to the complaint preferred to various Authorities and this include the complaint dated 19.03.2018 addressed to the North Goa Planning and Development Authority which resulted into a site inspection on 20.03.2018. A further communication is

addressed by the Petitioner to the Village Panchayat on 20.05.2018 where he make a grievance about the encroachments over the developed roads and misuse of the open space.

Another representation by the Petitioner is dated 18.03.2023 addressed to the Collector-North Goa, NGPDA, Chief Town Planner as well as the Village Panchayat and even to the Director of Tourism and the subject of the complaint is, 'Illegal construction, encroachment and commercial activities in Survey No.142/1(Part) at Vady-Candolim, Bardez-Goa.'

2. The Village Panchayat has filed the affidavit of the Secretary on 21.06.2024 wherein it is stated that pursuant to the order dated 01.11.2023 passed by this Court, a joint inspection of the property bearing Survey No.142/1 of Village Candolim was carried out by the officials of the Tourism Department Department, TCP and the Village Panchayat. It is categorically stated that during the said site inspection, illegalities were noticed regarding encroachments/constructions/extensions done into the marked open spaces as well as the internal roads by Respondents No.7 to 14 and we are informed that the orders of demolition have been executed except in respect of Respondents No.11 and 12 and the Panchayat will take appropriate steps to ensure that the demolition order is given effect to within a period of four weeks.

The learned Counsel for the Petitioner, however, has disputed the statement made in the affidavit that the grievance of the Petitioner

as raised in the complaint is redressed fully. However, we do not intend to get into the disputed question as to which of the compliance is ensured.

3. In the wake of the statement being made on oath before us in the affidavit, which is accompanied with the demolition orders issued under Section 66 of the Goa Panchayat Raj Act, 1994, we deem it appropriate to dispose of the Petition but leaving the liberty open in the Petitioner to file a fresh complaint to the Village Panchayat if his grievance still survives or if he find any illegality in the construction/extension of any structures in Survey No.142/1 and direct that upon such complaint being made, the Panchayat shall take cognisance thereof and initiate action thereon.

The Writ Petition stand disposed of.

ASHISH S. CHAVAN, J.

BHARATI DANGRE, J.