

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.12 OF 2025

VISHAL NAIK AND 3 ORS

... PETITIONERS

Versus

THE STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 12 ORS

... RESPONDENTS

Ms Fawia Menezes Mesquita, Advocate for the Petitioners.

Mr. Suhas Parab, Additional Government Advocate for Respondent
Nos. 1, 3 and 5 to 9.

Mr. Nigel Costa Frias and Mr. K. Panchal, Advocates for Respondent
no. 2.

Ms. Amira Razaq, Advocate for Respondent No. 4.(Through V.C.)

Mr. Vivek Rodrigues, Advocate for Respondent Nos. 10 and 13.

Mr. Parag Rao with Mr. S. Singbal, Advocates for Respondent Nos.
11 and 12.

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

DATED :- 24th July, 2025

P.C.

1. The limited grievance of the petitioner is the alleged inaction on the part of the respondent authorities to demolish the structure, septic tank, installed in the Comunidade land in property bearing survey no. 133/1 of Village Cortalim. A direction is also sought for the restoration of the subject land and to recover the costs of such restoration from the private respondents.

2. We are informed by Mr. Rodrigues, learned counsel representing

the respondent nos. 10 and 13, and Mr. Rao, learned counsel representing the respondent nos. 11 and 12, that the proceedings in the form of an Appeal are presently pending before the Additional Director of Panchayat, South Goa, Margao, bearing No. ADP-II/P.A.No.312/2023, and according to Mr. Rodrigues, the next date of hearing in the proceedings is 18.09.2025.

We are also informed that the proceedings before the Administrator of Comunidade, initiated at the instance of petitioner nos.1 and 2, are also ongoing, and the next date in the said proceedings is 13.08.2025.

3. In the wake of the pendency of the proceedings before the Appellate Authorities, we are of the view that we shall not exercise our jurisdiction at this stage, as the proceedings before the Statutory Authorities are in progress and we merely observe that the authorities shall pass the necessary orders by taking into consideration the say of the respondents and, if required, grant them an opportunity of hearing. We expect the proceedings to be concluded expeditiously.

Writ Petition stands disposed of.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.