



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 279 OF 2024

Sitabai Rajaram Naik Desai & Anr.

... Petitioners

V e r s u s

1. The State of Goa, Through its Chief Secretary ... Respondents
and 2 Ors.

Mr. Ressano Noronha, Advocate *for the Petitioners.*

Mr. Shubham Priolkar, Additional Government Advocate *for Respondent No. 1.*

Mr. S. D. Padiyar, Senior Advocate *with Mr. P. Shirodkar, Advocate for Respondent No. 2.*

**CORAM: SARANG V. KOTWAL &
 ASHISH SAHADEV CHAVAN, JJ.**

DATE: 13th NOVEMBER, 2025

P.C.

1. After hearing the learned Counsel for the parties for quite some time, when we expressed our disinclination to give any reliefs in terms of compliant dated 09.03.1993 and 01.11.1993 after so many year, the learned Counsel for the Petitioners did not press this Petition. However, he submitted that he be permitted to take steps in accordance with the Order dated 04.09.2023 passed in Writ Petition No. 88 of 2020 with Misc. Civil Application No. 207 of 2023.

2. Learned Senior Counsel appearing for Respondent no. 2 in the present Petition, tendered a copy of the said Order dated 04.09.2023. He also submitted that this is a repeated Petition for similar reliefs preferred by the Petitioners. We have considered this submission as well.

3. Vide the Order dated 04.09.2023 in paragraphs 11, 12 and 13, this Court has issued certain directions which are as follows :

“11. The result of the inspection must be communicated to the Chief Officer of Cuncolim Municipal Council, and copies must also be given to the Petitioner and Respondent no. 3 and 4(i), through their Counsel.

12. If the Municipal Engineer reports that there is compliance, the Chief Officer of Cuncolim Municipal Council must take steps within 15 days of such report to ensure that the demolition is carried out.

13. Still, if any of the parties are aggrieved, they may take out appropriate proceedings as advised.”

Paragraph 13 is clear enough, if the Petitioners are aggrieved by the steps taken or not taken by the authorities pursuant to the Order dated 04.09.2023 and is not satisfied with the situation, he was granted liberty to take out appropriate proceedings as advised. Therefore we reiterate that if the Petitioners are aggrieved by the insufficiency of the steps taken by the authorities which are referred in the Order dated 04.09.2023, they are at liberty to take appropriate proceedings as is

mentioned in paragraph 13 of the Order dated 04.09.2023 passed in Writ Petition No. 88 of 2020.

4. With this liberty, the Petition is disposed of as not pressed.

ASHISH SAHADEV CHAVAN, J.

SARANG V. KOTWAL, J.