



Meena

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**WRIT PETITION NO.388 OF 2025**

VIMAL LAXMAN GONDHALI

... PETITIONER

Versus

PERNEM MUNICIPAL COUNCIL THR ITS  
CHIEF OFFICER AND ANR

... RESPONDENTS

Mr. Shivraj Gaonkar, Advocate for the Petitioner.

**CORAM:- VALMIKI MENEZES, J.**

**DATED :- 9th October, 2025**

P.C.:

1 Registry to waive office objections and register the matter.

2. The subject matter of the petition is an order of demolition of a septic tank and a soak pit, which is situated within 13 meters of the Petitioner's well, which is used as a water source for his own house, situated in a contiguous property. The Petitioner has averred that the order of stay granted by the Tribunal on 23.04.2025 is devoid of any reason and is required to be set aside. Further contention of the Petitioner is that the Tribunal has not disposed of the appeal for more than six months, despite the grievance of the Petitioner being a matter of record.

3. On going through the Roznama of the appeal before the Tribunal,

this would not be a case for any direction to the Tribunal at this stage. The Petitioner, instead of making a grievance before this Court, that the subject matter of the appeal is the demolition of the septic tank within 13 meters of his water source, ought to have brought this to the notice of the Tribunal and highlighted the same before the Tribunal. The Petitioner could seek expeditious disposal of the appeal on this ground. The Petitioner is well advised to first approach the Tribunal with this grievance before filing a petition for directions in this Court. Considering these facts, there is no reason to pass any direction in exercise of jurisdiction under Article 227 of the Constitution of India; hence, the petition is rejected.

4. The Petitioner may first approach the Tribunal and highlight the reasons why he seeks expeditious disposal of the appeal.

**VALMIKI MENEZES, J.**