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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.417 OF 2025

Mr. Mahavir Jogi Choudhari
Alias Mahavir Jogi Chaudhari,
S/o. Jogi Chaudhari,
54 years of age, married,
Private service, Indian National,
R/o. Sy. No. 132, Waghali,
Camurlim, Bardez-Goa.

... Petitioner.

Versus

1. Village Panchayat
Camurlim, Bardez, Goa.
Through its Secretary/Sarpanch

2. Mr. Sankalp Karpe,
Pitashree Plot No. E-14,
H.No.247/A, First Floor,
Ganeshpuri, Housing Board Colony,
Mapusa, Bardez-Goa.

3. State of Goa
Through Chief Secretary
Porvorim-Goa

... Respondents.

Mr. Sahil Sardessai, Advocate for the Petitioner. (through V.C.)

Mr. Sarvesh G. Kalangutkar, Advocate for Respondent No.1.

Mr. Ajay Menon, Advocate for Respondent No.2.

Mr. S.P. Munj, Additional Government Advocate for
Respondent No.3.

CORAM: VALMIKI MENEZES, J.

DATED: 4th November, 2025

ORAL ORDER:

1. Registry to waive office objections and register the matter.
2. By this petition, the Petitioner challenges an order dated 19.08.2025 passed by the District Court at Mapusa in Panchayat Revision No.14/2025, whereby the Revision Application filed under Section 201-B of the Goa Panchayat Raj Act, 1994 (the Act) has been rejected. The impugned order confirms the order of the Director of Panchayats dated 27.01.2025, which dismisses the Petitioner's appeal under Sub-Section 7 of Section 66 of the Act. The Appellate order rejects an appeal against the demolition order dated 23.11.2020 issued by the Village Panchayat of Camurlim, which has directed the Petitioner to demolish the structure measuring 9.50 x 8.30 x 8.80 metres constructed on a plot of 86 sq. mts. forming part of a larger property under Survey No.132/0 of Village Camurlim.
3. The Panchayat had issued a show-cause notice on 12.10.2020 to the Petitioner, alleging that he had constructed the aforementioned construction without obtaining requisite licence under Section 66 of the Act nor did the structure have any approvals under the Planning Regulations. According to the panchanama drawn up by the Secretary of the Panchayat, the structure was a newly constructed pucca

construction made up of laterite stones, cement and with a cement sheet roof. No reply was filed in answer to the show-cause notice, pursuant to which, after hearing the Petitioner, the demolition order came to be passed. The appeal filed by the Petitioner under Section 66, before the Director of Panchayats, was also dismissed against which the Petitioner's Revision Application was also dismissed by the District Court.

4. The main contentions raised in this petition are that the panchanama and transgression report prepared by the Secretary of the Panchayat is vague, without there being any plan attached to it as proof of the site inspection. The Petitioner disputes that any inspection took place in his presence and claims that the impugned demolition notice was passed without following the principles of natural justice by affording the Petitioner an appropriate hearing and by giving the Petitioner sufficient notice of the exact size of the construction.

5. On going through the demolition order, the Panchayat, after considering the fact that the Petitioner had neither filed a reply to the show-cause notice nor produced any document on record such as a valid construction licence and construction plan, proceeded to direct demolition of the structure.

The Director of Panchayats has considered in detail the contentions raised by the Petitioner and has given a specific finding

that the Petitioner was unable to produce any valid licence for the construction nor was the construction in compliance with the building regulations, since there was no setback provided to the same. The DOP has also considered that the structure was constructed on a small plot of 86 sq. mts., which the Regulations in any case did not permit for development. With these findings, the appeal was rejected.

6. In revision, the District Court has in a very detailed order, considered the record and arrived at the following factual findings:

- a) That the Petitioner had purchased the plot in question by a Sale Deed dated 09.03.2018, the plot being of just 86 sq. mts. out of a larger property under Survey No.132/0 admeasuring 34,275 sq. mts.
- b) After perusing the sale deed executed in favour of the Petitioner, the District Court observed that the plan annexed to the sale deed, which is of the year 2018, did not depict any structure at site.
- c) It was noted that the construction had come up after 2018, which would in any event not entitled the Petitioner to the benefit of the Regularisation Act.
- d) That the Petitioner had produced no valid licence or conversion for the property, which was described in the schedule of the sale otherwise, as an agricultural property.

7. With this findings, the District Court rejected the Revision Application holding that apart from there being no valid licence for construction, a construction was not permissible on such plot. The findings are based upon the prevailing Building Regulations and the provisions of Section 66 of the Panchayat Raj Act, which prohibit the construction of a building to be carried out without a valid licence. None of these findings can be considered to be perverse or contrary to the material on record. The findings are all rendered within the bounds of law and the jurisdiction conferred on the Authorities that have dealt with the matter.

8. In this view of the matter, there is no case made out for interference in the supervisory jurisdiction of this Court as no infirmity can be found with any of the orders of the Authorities. Consequently, the petition is rejected.

9. The Village Panchayat shall proceed to carry out the demolition and implement its order of demolition dated 23.11.2020 within a period of two months from today. Learned Advocate appearing for the Panchayat of Camurlim has placed on record a letter dated 14.10.2025 requisitioning a demolition squad from the Office of the BDO, Mapusa, Bardez, Goa. Learned Additional Government Advocate Mr. Munj appearing for Respondent No.3, is directed to communicate this order to the Office of the BDO, Bardez, to provide the demolition squad and to complete the demolition preferably

within a period of two months from the date of this order. On completion of the demolition, the Secretary of the Village Panchayat shall place on record a report with photographs and the site conditions in compliance of this order.

10. List this matter on 15.01.2026 for filing a report of the Secretary.

11. Needless to state, the cost of demolition may be recovered from the Petitioner in the manner provided by law.

12. Petition stands disposed of.

VALMIKI MENEZES, J.