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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.545 OF 2026

VEERA VAMAN PANDIT ... PETITIONER
Versus
STATE OF GOA THR ITS CHIEF SECRETARY AND 7 ORS ... RESPONDENTS

Mr. Amey Phadte with Ms. Tanvi Satardekar, Advocate for the Petitioner.

Mr. Siddharth Samant, Additional Government Advocate for Respondent Nos. 1, 4, 5 and 6.

Mr. Sujay Kamulkar, Advocate for Respondent Nos. 2 and 3.

Mr. Eeshan Usapkar with Mr. Raj Pankar, Advocates for Respondent Nos. 7 and 8.

CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.

DATED :- 14th October, 2026

P.C.:

1. The petition seeks a writ of mandamus to direct Respondent No. 6 to take action to demolish the structure belonging to Respondent Nos. 7 and 8 pursuant to an order of demolition passed by the Panchayat on 21.12.2023.

2. After hearing the parties, we have noticed the following facts that transpired prior to filing of this petition. The order of

demolition dated 21.12.2023 was challenged by Respondent Nos. 7 and 8 before the Directorate of the Panchayats, in which an order of stay was operating until 28.10.2025, when the Appeal was withdrawn on making such statement that Respondent Nos. 7 and 8 will demolish the offending structure and apply for a fresh licence from the competent authority.

3. It is the case of Respondent Nos. 7 and 8 on Affidavit that they in fact had demolished the offending structure prior to applying for a Technical Clearance, which was granted by the Town Planner on 28.02.2025, prior to the withdrawal of the Appeal, after which the Village Panchayat has granted the construction licence on 10.04.2026. According to Respondent Nos. 7 and 8, the structure at site is constructed pursuant to the fresh licence obtained.

4. During the course of the hearing of the matter, the Secretary of the Village Panchayat has brought on record an Affidavit that the original structure, which was the residential house, was being demolished, but the compound wall around the plot was not being demolished. On instructions, Mr. Siddharth Samant, learned Advocate appearing for the Directorate of Panchayats/Respondent No. 5, also makes a statement which is in line with what the Secretary of the Village Panchayat has stated.

5. We have also noticed that the Technical Clearance of the Town Planner granted to Respondent Nos. 7 and 8 grants a fresh construction licence for erecting a residential house and regularises the construction retained of the compound wall.

6. Considering all these facts, even though the submission of the Petitioner pressed forth is that the structure to be demolished under the demolition order of 21.12.2023 was never actually removed from the site, we do not find this as a fit case to exercise writ jurisdiction under Article 226 of the Constitution of India; this is more so in the light of the positive assertion made by the Secretary of the Panchayat and by the Town Planner that the residential structure was indeed demolished and a fresh licence was obtained for the construction of the residential house. Consequently, therefore, we reject the petition.

7. The petition stands disposed of.

AMIT S. JAMSANDEKAR, J. **VALMIKI MENEZES, J.**