



dishanagvekar

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.353 OF 2025

JANARDHAN GOVIND PALNI

... PETITIONER

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 6 ORS

... RESPONDENTS

Mr. Deepak Gaonkar with Mr. Akhil Govenkar, Advocate for the Petitioner.

Ms. Akshata Bhat, Addl. Govt. Advocate for Respondent nos. 1, 2, 3 and 4.

Mr Laxman Pednekar, Advocate for the Respondent No.5.

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

DATED :- 30th March, 2026

P.C.

1. This Petition is for enforcement of the Panchayat demolition order dated 20/02/2021. The demolition order was passed by the Village Panchayat of Parsem, Pernem, Goa. The record reveals that the demolition order was challenged before the Directorate of Panchayat but was dismissed for default somewhere in May 2023 after which it has not been restored. The order therefore attains finality.

2. The demolition squad was requisitioned by the Panchayat only on 25/01/2024, almost six months after the order had attained finality. The Deputy Collector, vide communication dated 12/02/2024, made

available the demolition squad and fixed the demolition. However, till date, no demolition has taken place. Instead it appears that the Panchayat, by communication dated 20/02/2024, has informed the Deputy Collector not to proceed with the demolition.

3. The Secretary of the Panchayat has placed on record today, an affidavit in reply, which we have perused. The same does not offer any plausible explanation as to why the demolition order was not executed since May 2023, despite the availability of the demolition squad pursuant to the communication dated 25/01/2024. No reasons have been cited as to why the demolition was not carried out at the site.

4. The only explanation appears to be that the Respondent No.7 who claims to be owner of the land, addressed a communication to the Panchayat stating that the construction in question was carried out by him and not by Respondent No. 6.

5. The conduct of the Secretary of the Panchayat indicates that the demolition has been avoided on one pretext or another, without any plausible explanation.

6. In the circumstances, the Secretary of the Panchayat shall now carry out the demolition positively within a period of 15 days from the date of this order. The Deputy Collector, Pernem, who is in charge of the demolition squad for the Taluka, shall provide the necessary

demolition squad to the Panchayat to enable execution of the demolition in terms of the order dated 25/01/2024.

7. A compliance report shall be placed before this Court on or before 04/05/2026 indicating whether the demolition has been carried out.

8. Considering the explanation offered by the Secretary of the Panchayat, which does give any plausible reason for the delay in carrying out the demolition from May 2023, we request the Director of Panchayat to inquire into the circumstances as there was delay for almost three years since the appeal of Respondent No.6 was dismissed in May 2023.

9. The Director of Panchayat shall take appropriate action if it is found that there has been deliberate inaction on the part of the Secretary in failing to carry out the demolition within a reasonable time.

10. List this matter on 04/05/2026.

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