



Jose

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.400 OF 2024

INACIO PEIXOTO THR. HIS
ATTORNEY MANISHA FERNANDES

... Petitioner

Versus

THE STATE OF GOA THR.
ITS CHIEF SECRETARY AND 5 ORS.

... Respondents

Ms Sonadevi Nishad, Advocate for the Petitioner.

Mr S. Samant, Additional Government Advocate for
Respondent Nos.1, 2 and 4.

Mr Parikshit Sawant, Advocate for Respondent Nos.5 and 6.

**CORAM: M.S. KARNIK &
VALMIKI MENEZES, JJ.**

DATED: 10th July, 2024

P.C.:

1. The Petitioner seeks a writ of mandamus directing Respondent No.3 who has assumed powers of the Panchayat under Section 66(5) of the Panchayat Raj Act, to dispose of a complaint dated 27.10.2022. The complaint alleges that Respondent Nos.5 and 6 have undertaken illegal construction on land under Survey Nos.301/2 and 301/3 of Village Xeldem.

2. On assuming jurisdiction under Section 66(5) of the Act, the Deputy Director sought a Site Inspection Report through the B.D.O. which was filed before it on 26.06.2023, pursuant to which, notice was

issued to the Respondent Nos.5 and 6 way back on 24.01.2024. It is a matter of record that Respondent Nos.5 and 6 have till date not filed their reply to the said notice.

3. After hearing the matter for some time, learned Advocate Shri Samant appearing for Respondent Nos.1, 2 and 4 submits that Respondent No.4 would proceed with the hearings of the matter and dispose of the application expeditiously.

4. Shri Parikshit Sawant appearing for Respondent Nos.5 and 6, on instructions, undertakes to furnish a copy of the reply of these Respondents to the Complainant in advance before the hearing of the application on 22.07.2024. The Deputy Director shall hear the matter on 22.07.2024 or any other convenient date thereafter. The Deputy Director is requested to dispose of the application within a period of a month from the date of this order. The contesting parties have assured this Court that they will cooperate in the expeditious disposal of the matter and would not seek any adjournments before the concerned authorities.

5. The petition stands disposed of with the above terms. No costs.

VALMIKI MENEZES, J.

M.S. KARNIK, J.