



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 383 OF 2024

Clotildes Franscisco Olinda Da Silva e Braganza ... Petitioner

V e r s u s

State of Goa, Thr. Its Chief Secretary & 3 Ors. ... Respondents.

Mr. Abhay Nachinolkar, Advocate with *Mr. Ramesh Vedang MAnerkar and Mr. S for the Petitioner.*

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

Mr. Pranay A. Kamat, Advocate for *Respondent No. 3.*

Mr. Ganesh Naik, Advocate for *Respondent No. 4.*

**CORAM: DEVENDRA KUMAR UPADHYAYA,
CJ & M. S. KARNIK J.**

DATE: 26th September, 2024

P.C.

1. Heard Mr. Nachinolkar, learned Counsel representing the petitioner, Mr. Samant, learned Additional Government Advocate representing the respondent nos. 1 and 2, Mr. Kamat, learned Counsel representing the respondent no.3 and Mr. Naik, learned Counsel representing the respondent no.4.

2. It has been stated by the learned Counsel for the parties that so far as the first and second floor of the subject structure are concerned,

since they were constructed without any permission, they have been demolished.

3. It has been further stated by the learned Counsel for the petitioner that as regards the ground floor of the structure, no permission under law exists. Learned Counsel representing the concerned Village Panchayat has submitted that a notice has been issued to the respondent no.4 in respect of the ground floor as well.

4. Thus, we dispose of this petition with liberty to the respondent no.4 to file objection to or reply to the said notice issued by the respondent no.3 in respect of the ground floor as well. An appropriate decision in terms of the said reply shall be taken by the concerned Village Panchayat, with expedition. Once such decision is taken, further action which would be warranted under law shall follow. However, this order is passed without prejudice to the rights of the petitioner to challenge the order to be passed by the Village Panchayat in respect of the structure standing on the ground floor.

5. Writ Petition stands disposed of in the aforesaid terms.

M. S. KARNIK, J.

THE CHIEF JUSTICE, J.