



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.689 OF 2024

ROMA MASCARENHAS

... Petitioner

*Versus*STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 12 ORS.

...Respondents

Mr Shitil Prabhu Dessai, Advocate for the petitioner.

Mr Tukaram Gawas, Additional Government Advocate for respondent
Nos.1 to 3.

Mr Vallabh Pangam, Advocate for respondent Nos.4 to 6.

CORAM: M. S. KARNIK &
NIVEDITA P. MEHTA, JJ

DATED : 16th DECEMBER 2024

P.C.:

1. Heard learned counsel for the petitioner.
2. The report dated 13.12.2024 is placed on record and marked
'X' for identification. In the said report, it is stated thus: -

“In reference to the above cited subject and as per the order dated 13th November 2024, this office had submitted Report to the Collector South Vide No. WRD/WDXI/Adm/F.103/2024-25/228, dtd 20/11/2024, with a request to kindly issue the necessary instructions to this office, under Section 37 of the Land Revenue Code.

The Collector South, vide Case No.43/40/Encr/2024/Rev/1928, dtd 11/12/2024 has issued an order directing this office to:

“a) Initiate immediate removal of the encroachment, Specifically the earthfilling obstructing the nallah in Sy.No:930/6 of Shiroda village, Ponda Taluka.

b) Ensure the restoration of the natural flow of the nallah, adhering to the proposed dimensions specified in the departmental report.”

In compliance to the above order, this office initiated immediate removal of the encroachment, specifically the earthfilling obstructing nallah along Sy.No:930/6 of Shiroda on 13/12/2024 by engaging a JCB and truck, the earthfilling done was removed length of 18.00m X 4.00m X 0.40m, and the flow of water through the nallah was cleared. The photographs, before commencement and after completion of the work has been attached for further needful.

The earth removed was disposed off in the nearby dumping area as shown by the Village Panchayat Shiroda.

The Action taken Report is submitted to the Hon’ble high Court as per the directions.”

- 3.** In view of the action taken report, in our opinion, nothing survives for further consideration in the present petition.

4. Learned counsel for the petitioner wanted some time to examine the report. However, considering the report and photographs annexed to the report, we are satisfied with the action that has been taken. Liberty to the petitioner to apply in case of difficulty is kept open. The petition is disposed of. No costs.

NIVEDITA P. MEHTA, J

M. S. KARNIK, J