

2023 SCC OnLine Bom 1579

In the High Court of Bombay at Goa
(BEFORE M.S. SONAK AND BHARAT P. DESHPANDE, JJ.)

Viola Silveira ... Petitioner;

Versus

State of Goa, Thr. its Chief Secretary and Others ...
Respondents.

Writ Petition No. 416 of 2023

Decided on August 1, 2023

Advocates who appeared in this case :

Mr. Sahil Sardesai, Advocate for the Petitioner.

Ms. Sapna Mordekar, Additional Government Advocate for
Respondent No. 1.

Mr. Y. Kotkar, Advocate for Respondent Nos. 2 and 3.

P.C.

1. Heard Mr. Sardesai for the Petitioner, Ms. Sapna Mordekar, learned Additional Government Advocate for Respondent No. 1 and Mr. Kotkar appearing for Respondent Nos. 2 and 3.

2. Mr. Sardesai stated that Respondent No. 4 is duly served and an affidavit of service will be filed by tomorrow.

3. The grievance of the Petitioner is inaction on the part of Village Panchayat of Azossim, Mandur.

4. Mr. Kotkar, learned Counsel for the Panchayat, on instructions, states that a stop work order was issued based on the Petitioner's complaint and now, even a show cause notice has been issued. He states that the Sarpanch and the Secretary have ensured that no further construction is undertaken by Respondent No. 4, given the stop work order dated 20.06.2023. Mr. Kotkar stated that a show cause notice issued today will be disposed of in accordance with law and on its own merits within one month from today.

5. By accepting the above statement and directing the Panchayat to dispose of its show cause notice within one month, we dispose of this Petition. The Panchayat will have to comply with principles of natural justice and in peculiar facts of the present case, an opportunity of hearing be granted not only to Respondent No. 4 but also to the Petitioner. The Panchayat should communicate its decision to both parties within one month from today. The stop work order will operate until such communication.

6. The Petition is disposed of without any order as to costs.

7. All concerned to act on an authenticated copy of this Order.

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