

**IN THE HIGH COURT OF BOMBAY AT GOA.**

**(LD-VC-CW-142/2020 )**

Truptesh Gaonkar and ors. .... Petitioners.

Vs

The Chief Officer, Mormugao Municipal ..... Respondents.

Shri B. Khandeparkar, Advocate for the Petitioner.

Shri A. Sawant, Advocate for the respondent no.1.

Shri Y. Nadkarni, Advocate for the respondent no.2.

**Coram:- DAMA SESHADRI NAIDU, J.**

**Date:- 1<sup>st</sup> September 2020.**

P.C.

Earlier this Court has granted an ex parte interim protection against the demolition, but it has not spelt out any more details. Now, Shri Nadkarni, the learned Counsel for the second respondent, entered his appearance. He informs me that the disputed structure is not a temple *per se*; it is, in fact, a shed. He also points out that when the matter was pending before the Tribunal, it ordered both the parties to maintain status quo. That apart, it restrained the petitioners from using it in any manner. According to Shri Nadkarni, the disputed structure, incidentally, was described as a scene of offence in a serious crime.

2. At any rate, the petitioners' counsel insists that the disputed structure is a temple. But I reckon the petitioners cannot expect a larger interim relief than what they had had when the appeal was pending before the Tribunal.

3. I, therefore, restore the order that has been in force when the appeal was pending. And the parties to the proceedings should act accordingly.

4. Post the matter 15.9.2020.

**DAMA SESHADRI NAIDU, J.**

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