

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-118-2020**

Pravin Khanolkar ... Petitioner
Versus
The State of Goa & Ors. ... Respondents

Mr. Shivan Desai, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. A. Kamat, Additional Government Advocate for the State.

**Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.**

Date:-4th August, 2020

P.C.

Service upon the Respondent No.6 is not yet complete. However, the learned Advocate General points out that the order which is impugned in this petition is made because the septic tank is overflowing and this leads to health hazards.

2. Mr. Desai points out that the clearance of the septic tank would require the demolition of illegal construction put up by the Respondent No.6. He points out that already the demolition orders are issued, but no demolition has taken place due to orders impugned in this petition.

3. The learned Advocate General points out that for last six

years or so the septic tank is being cleared despite existence of the structure put up by the Respondent No.6.

4. We propose to examine the controversy regarding the structure put up by the Respondent No.6 separately, if necessary in this petition itself. However, in the meanwhile, the Petitioner and other residents cannot avoid cleaning of the septic tank as they have done for the past few years. Therefore, on account of pendency of the present petition, the Petitioner and other residents should not avoid cleaning of the septic tank. Further, even the Respondent No.6, without prejudice to his contention with regard to the structure put up by him should render all cooperation so that, the health hazard due to overflow/non cleaning of septic tank is abated.

5. We place this matter for further consideration on 11th August, 2020.

6. In addition to the usual mode of service, we grant leave to serve the Respondent No.6 by humdast/private service.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

at*