

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-250-2020**

1. Shrenik Nalin Zaveri,
s/o Shri Nalin Jeshaglal Zaveri,
61 years of age, businessman,
married, r/o House no. 7/50,
Salmona village, Saligao, Bardez, Goa.
Permanently residing at 64, Gitanjali,
73/74 Walkeshwar Road, Mumbai. Petitioner.

Versus

1. The State of Goa
Through the Chief Secretary,
Alto Porvorim, Goa.
2. The Chief Engineer,
PWD, Altinho Panaji, Goa.
3. The Assistant Engineer,
Sub div II, WD XVII (PHE-N),
PWD, Mapusa, Goa. Respondents.

Ms. Asha Dessai, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Addl. Government Advocate for the Respondent nos. 1 to 3.

Coram : M. S. SONAK, &

SMT. M. S. JAWALKAR, JJ.

Date : : 7th October, 2020

ORAL JUDGMENT: Per M.S. Sonak, J.

Heard Ms. Asha Dessai, learned Advocate for the petitioner and Mr. D. Pangam, learned Advocate General alongwith Ms. Maria Correia, learned Addl. Government Advocate for the respondent nos. 1, 2 and 3.

2. We issue Rule and make the Rule returnable forthwith with the consent and at the request of the learned Advocates for the parties.

3. After hearing the learned Counsel for the parties for some time, the learned Advocate General makes a suggestion that in case the petitioner is willing to deposit 50% of the disputed bill amount and pay the prescribed re-connection charges, the respondent will restore the water connection, within a period of one week from the date of deposit of this amount and further the Executive Engineer will hear the petitioner, with regard to the grievances, about the disputed bill and other connected matters. He states that, the Executive Engineer will then pass appropriate orders, in accordance with law in the matter.

4. Ms. Asha Dessai, learned Advocate, submits that the aforesaid proposal is just and fair in the circumstances of the present case and therefore, agrees to the adoption of the aforesaid proposal.

5. Therefore, we direct that, if the petitioner deposits the 50% of the disputed bill amount alongwith the re-connection charges, then, the concerned respondent, will, within one week from such deposit, restore the water supply connection, to the petitioner.

6. Further, the Executive Engineer will afford an opportunity of hearing, to the petitioner, as well as, any other affected parties and thereafter, decide the grievances raised by the petitioner in this petition, in accordance with law and on their own merits.

7. The learned Advocate for the parties clarify that the aforesaid arrangement, is entirely without prejudice to the rights and contentions of the parties.

8. The petition, is accordingly disposed of, by issuing the aforesaid directions.

9. There shall be no order as to costs.

10. All concerned to act on the basis of the authenticated copy of this order.

SMT.M.S.JAWALKAR, J.

M. S. SONAK, J.

MF/-