

IN THE HIGH COURT OF BOMBAY AT GOA.

LD-VC-CW-57/2020

Smt. Lidia Fernandes & anr. Petitioners.

Vs

Canacona Municipal Council Respondents.

Ms. S. Drago, Advocate for the petitioners.

Shri Sudesh Usgaonkar, Advocate for the respondent no.1.

Ms. S. Pereira, Advocate for the respondent nos.3 to 6.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 8th September 2020.

P.C.

This matter concerns the demolition of a structure. The petitioners have contended, among other things, that the first respondent has not followed the due process.

2. Now, Shri Usgaonkar, the learned counsel for the first respondent, on instructions, informs me that the first respondent is willing to withdraw the impugned order and issue a fresh show-cause notice to the petitioners. After that, he intends to proceed with the matter strictly by law. For this, the learned counsel for the petitioners agrees. At any rate, the learned counsel for the respondent nos. 2 to 6 insists on this Court's fixing a timeline for the first respondent to complete the fresh round of proceedings.

3. Under these circumstances, I allow the first respondent to withdraw the impugned order. After that, he may issue a fresh show-cause

notice to the petitioners and will follow the due procedure. As the petitioners' counsel points out, the first respondent may as well inspect the property and adjudicate the issue as per the law. As insisted by the respondent nos.2 to 6, the authority may expedite the process.

Thus, the Writ Petition stands closed.

DAMA SESHADRI NAIDU, J.

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