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IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.220 OF 2026

ZUBEDA KHAN (SINCE DECEASED) THR
LRS AMINA KHAN

... PETITIONERS

Versus

MARGAO MUNICIPAL COUNCIL THR ITS
CHIEF OFFICER AND ANR

... RESPONDENTS

Mr. Anthony Joseph, Advocate for the Petitioners.
Mr. Parag Rao with Mr. Akhil Parrikar and Ms. Dhanashree
Korgaonkar, Advocates for Respondent No.1.
Mr. Sylvester Cotta and Mr. Winston Mascarenhas, Advocates
for Respondent No.2.

CORAM:- S. G. CHAPALGAONKAR, J.

DATED :- 12th October, 2026

P.C.:

1. Present Writ Petition takes exception to order dated 25.10.2021 passed by Respondent No.1 in Case No. MMC/C.O./HR-573/21-22 ordering demolition of the toilet, so also the order dated 02.02.2026 passed by Appellate Authority in Case No. 35/2022 upholding order passed by Respondent No.1.

2. The Petitioner's mother was served with show cause notice based on complaint filed by Respondent No.1. Petitioner's mother filed reply to show cause notice. It was found that Petitioner's mother has raised illegal construction without obtaining necessary

permissions from the competent authority. Eventually, demolition order was passed against Petitioner's mother with further direction to recover costs of demolition from her. Petitioner's mother then approached appellate authority. Appellate authority after considering rival contentions rejected the appeal and upheld demolition order.

3. Perusal of impugned order suggests that Petitioner's mother had raised construction of toilet. Admittedly, there is no construction licence or permission obtained. Although it is contended that construction of toilet was made under Central Government Scheme, i.e. Swachh Bharat Abhiyan, that itself would not legalise the illegal construction made in violation of provisions of the law. Petitioner could not demonstrate before this Court that construction was backed by necessary sanction/permission of competent authority. No ground is made out in Writ Petition so as to invoke writ jurisdiction of this Court under Article 227 of the Constitution of India.

4. In result, Writ Petition stands dismissed.

S. G. CHAPALGAONKAR, J.