



Amrut

**IN THE HIGH COURT OF BOMBAY AT GOA****WRIT PETITION NO.1124 OF 2026 (Filing No.)**

SAMEER M MUZAWAR AND 25 ORS. ...Petitioners

VersusTHE CORPORATION OF THE CITY OF
PANAJI (CCP) THR. THE
COMMISSIONER AND ANR. ...RespondentsMr Parimal Redkar and Ms Smita Gawas, Advocates for the
Petitioners.Mr Somnath Karpe and Mr Anand Shirodkar, Advocates for the
Respondent No.1.Ms Maria Correia, Additional Government Advocate for the
Respondent No.2.**CORAM: DR. NEELA GOKHALE, J.****DATED : 17th APRIL 2026****P.C.:**

1. By way of the present petition, the Petitioners seek to quash and set aside the Order dated 10th April 2026, passed by the Commissioner of the Corporation of the City of Panaji under Reference No. F4/CCP/ENG/ORDER/2025-2026/174.

2. By the said order, it is notified that the Corporation intends to demolish the old municipal market building situated on the



property bearing Chalta Nos. 76 to 84 of PT Sheet No.38, since the said building is unsafe.

3. By the Order dated 9th April, 2026, passed by this Court in Writ Petition No.400 of 2025, this Court has permitted the Corporation to demolish the old municipal market building since the said building was dilapidated and unsafe for human habitation. Pursuant to the Orders passed by this Court, the Corporation is now taking steps to proceed with the demolition of the said building. While causing demolition of the said building, it was apprehended that certain stalls located near the said old municipal market building may be affected and in the interest of public safety and to prevent any untoward incidents during the scheduled demolition of the old municipal market building, the Commissioner has directed the stall owners to vacate and remove their stalls within a period of five days from the date of the order.

4. Heard Mr P. Redkar, learned counsel appearing for the Petitioners, Mr S. Karpe, learned counsel appearing for the Respondent No.1 and Ms Maria Correia, learned Additional Government Advocate representing the State.

5. Mr Redkar has drawn my attention to the order dated 13th May, 2015 passed by this Court in Second Appeal No.34 of 2015,



whereby this Court has directed the parties in that appeal to maintain status quo with regard to the disputed stalls subject to each of the Appellants depositing a sum of Rs. 15,000/- in this Court within two weeks from the said order.

6. Mr Redkar submits that the stalls referred to in the order dated 13th May, 2015, are the stalls which were directed to be vacated by the Commissioner by way of the impugned order. He submits that without seeking vacation of the status quo order passed in Second Appeal, the Commissioner/Corporation cannot direct the Petitioners to vacate their respective stalls.

7. Mr Karpe, learned counsel appearing for the Respondent No.1, on the other hand, has drawn my attention to the purport of the impugned order. By way of the impugned order, the Commissioner has simply directed the stall owners to vacate and remove their stalls solely to prevent any untoward incidents that may occur during the demolition of the old municipal market building in very close proximity to the said stalls. Mr Karpe further states, on instructions, that the Petitioners have not been directed to vacate the stalls permanently.

8. Mr Karpe also drew my attention to the letter dated 13th April, 2026, addressed by the Petitioners and others to the



Commissioner, whereby the Petitioners have conveyed to the Commissioner of the Corporation itself that their stalls have been closed for the past 11 months and their livelihoods are affected.

9. Be that as it may, Mr Karpe, on instructions, states that once the work of demolition of the old municipal market building is complete and if there is any damage to the stalls run by the Petitioners, the Corporation will ensure that the stalls are reinstalled and restored to their original condition as of the date, at the costs of the Corporation. He also states, on instructions, that the Petitioners will be put in possession of the said stalls. He, however, makes it clear that merely permitting the Petitioners to occupy the stalls again does not create any right, title and interest of the Petitioners in the said stalls. The statement is accepted.

10. Mr Redkar interjects and says that there was already a suit for declaration and injunction filed by the stall owners before the Civil Court. The said suit was dismissed, against which the Petitioners and others preferred an appeal, which has also been dismissed by the Appellate Court. Aggrieved by the dismissal of the First Appeal, some of the Petitioners have filed Second Appeal No.34 of 2015, in which a status quo order is passed by this Court. It is made clear that the rights claimed by the Petitioners and others in the Second Appeal are not affected by the present order.



11. The Petitioners, thus, shall act in aid of the Order dated 10th April 2026, passed by the Commissioner of the Corporation of the City of Panaji under Reference No. F4/CCP/ENG/ORDER/2025-2026/174 and temporarily vacate the stalls till such time that the demolition work in the adjacent building is complete.

12. The Petition is accordingly disposed of in terms of the aforesaid.

DR. NEELA GOKHALE, J