



Niti

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO.1426 OF 2025 (F)

IN

WRIT PETITION NO.736 OF 2023

PIOLINHO E. I BARRETO

... PETITIONER

Versus

P S REDDY AND 2 ORS

... RESPONDENTS

Mr Kevin Braganza, Advocate for the Petitioner.

**CORAM:- BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.**

DATED :- 19th June, 2025

P.C.:

Heard the learned counsel for the petitioner and perused the petition.

2. At the outset, the learned counsel seeks liberty to amend the petition and implead the Health Officer as a party respondent, as according to him, there is a willful disobedience attributed to him. The amendment is permitted to be carried out within a period of one week from today. Reverification is dispensed with.

3. The Contempt Petition alleged disobedience of the order dated 13.03.2025 as the petition came to be disposed of by the Court in the wake of the undertaking given by respondent nos.5 and 6 to remove

the unauthorised extension of the construction as mentioned in para 1 of the order.

The Court had made it clear that respondent nos.5 and 6 must comply with the undertaking tendered before the Court and file compliance with the Health Officer i.e. respondent no.3, who was directed to inspect the site and if the nuisance still persists, abate the nuisance within a period of one month. It is the contention of the petitioner that the undertaking is neither followed by respondent nos.5 and 6 nor did the Health Officer take any subsequent action when there is a failure on the part of respondent nos.5 and 6 to act.

Since, prima facie, a case is made out for willful disobedience of the order passed by this Court in the wake of the undertaking given to the Court, issue notice to respondent nos.1 and 2 asking them to show cause as to why action under the Contempt of Courts Act shall not be initiated against them for willfully disobeying the undertaking and order passed by this Court on 13.03.2025. The response to the show cause notice is permitted to be filed within a period of four weeks from receipt of the notice.

4. Renotify to 28.07.2025.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.