

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO. 17 OF 2015

SHRI NITIN YESHWANT PATEKAR.

... Petitioner

Versus

STATE OF GOA, THROUGH ITS CHIEF
SECRETARY AND 8 ORS.,

... Respondents

Mr. Devidas J. Pangam, Advocate for the petitioner.
Mr. A. N. S. Nadkarni, Advocate General with Mr. P. Dangui,
Additional Govt. Advocate for respondents No.1, 3 to 6.

Coram:- MOHIT S. SHAH, C.J. &
SMT. ANUJA PRABHUDESSAI, J.

Date:- 20th August, 2015

P.C.:

This petition, purporting to be a PIL Writ Petition, has made a twofold grievance against the construction of a petrol pump on the land bearing survey No. 280/1-A-1 of Dhargal Village, of Pernem Taluka, North Goa District.

2. The two main objections are - (1) Respondents No.7 to 9 have constructed underground petrol tanks in a place different from the place for which permission was initially granted, without the approvals from the competent Authorities, and - (2) though the entire land admeasuring 5000 sq. metres is proposed to be used for the petrol pump in question, the conversion charges have been paid only for about 510 square metres, i.e. the land on or below which the construction has been made.

3. Having regard to the nature of the grievances made in the PIL Writ Petition, we are of the view that the petition could be conveniently disposed of on the direction that if the petitioner makes a representation to the District Magistrate, North Goa/respondent No.3 herein within three weeks from today, the respondent No.3 shall consider and decide the same as expeditiously as possible and within two months from the date of receipt of such a representation. Respondent No.3, before taking any final decision on the petitioner's representation, shall give an opportunity of hearing to all the parties, including the affected parties namely, respondents No.7 to 9.

4. The petition stands disposed of accordingly.

SMT. ANUJA PRABHUDESSAI, J.

MOHIT S. SHAH, C.J.

ssm.