

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.636 of 2013.**

Shri Gawin Rodrigues,
major of age, Indian
r/o House No.154,
Rodrigues Ward, Cavellosim,
Salcete, Goa. .. Petitioner

VERSUS

1. The State of Goa
through Chief Secretary,
having office at the
Secretariat, Porvorim,
Bardez, Goa.
2. Department of Tourism,
through its Director,
having his office at
Panaji, Goa. .. Respondents

Mr. Ryan Da Piedade Menezes, Advocate for the petitioner.

Mr. P. Dangui, Additional Government Advocate for the
respondent nos.1 and 2.

CORAM :- F. M. REIS, &

C. V. BHADANG, JJ

DATE : 30th November, 2015

ORAL JUDGMENT : (Per F. M. REIS, J.)

Heard Shri Ryan Menezes, the learned Counsel
appearing for the petitioner and Shri P. Dangui, the learned
Additional Government Advocate appearing for the respondents.

2. The challenge in the above writ petition is to the shack policy formulated by the State Government for the years 2013 to 2016, for erecting shacks on the coastal beaches of the State of Goa.

3. In the course of the hearing of the above writ petition, it was not disputed by Shri Menezes, the learned Counsel appearing for the petitioners that the shack policy would expire on or about 31/05/2016 and in fact, in accordance with the said policy, the successful shack occupants have already started their business activities. The learned Counsel further submits that a fresh shack policy will be formulated by the State Government, after the expiry of the period of said policy. In such circumstances, Shri Menezes, the learned Counsel appearing for the petitioners submits that the petitioners desire to make a representation, stating some suggestions for the fresh policy, which is intended to be formulated, after the expiry of the existing shack policy for the years 2013 to 2016. The learned Counsel, as such, submits that reserving the right of the petitioners to make such a representation, the petition may be disposed of as infructuous.

4. The learned Additional Government Advocate appearing for the respondents submits that the State Government

has not yet taken a decision that a new shack policy would be formulated, but however, a new policy would be in place, after the expiry of the existing shack policy.

5. In view of the above, we pass the following order :

ORDER

- (i) The petition stands dismissed as infructuous. However, the petitioners are at liberty to make a representation to the concerned authorities, submitting their suggestions, which shall be examined on its own merits in accordance with law. Such representation shall be filed within three months from today. Needless to say that the said representation, if filed, shall be examined by the concerned authorities before finalising a fresh shack policy, after the expiry of the existing policy.
- (ii) The petition stands disposed of accordingly, with no order as to costs.

C. V. BHADANG, J.

F. M. REIS, J.

SMA