

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 278 OF 2016

1. Silpam Trade Associates Pvt. Ltd.,
A Company registered under the
Companies Act, 1956.
Having its registered address at
House No. 887, Shivapriya, Next to
Holy Family School, Porvorim,
Bardez, Goa.
Through its authorized signatory,
Mr. Yogesh Reddy, the Petitioner No.
2.
2. Mr. Yogesh Reddy, Son of Sundar
Ram Reddy, Aged about 33 years,
Indian National, Resident of UG 101,
Casa Bay Side, Bay View Colony,
Dona Paula, Goa – 403 004. Petitioners

Versus

1. The State of Goa, Through its Chief
Secretary, Secretariat, Porvorim,
Goa.
2. The Goa Coastal Zone Management
Authority, C/o Department of
Science, Technology and Environment
(Govt. of Goa), 3rd Floor, Dempo
Towers, Patto, Panaji, Goa – 403 001.
3. M/s Shree Sai Champions Family
Trust, a Company registered under
the Companies Act, 1956 having its
registered office at 701, Avalon, 80
feet road, 4th Block, Kormanala,
Bangalore – 560 034.

4. The Deputy Collector and SDO,
Salcete – Goa.

.... Respondents

Mr. Kaif Noorani, Advocate for the Petitioners.

Mrs. S. Mordekar, Additional Government Advocate for
Respondents no.1, 2 and 4.

CORAM: S. B. SHUKRE, J.
DATE: 2ND MARCH, 2016.

ORAL JUDGMENT:

Heard the learned counsel for the petitioners.

2. Learned Additional Government Advocate waives
notice for the respondents no. 1, 2 and 4.

3. Rule. Rule made returnable forthwith. Heard finally
by consent.

4. Learned Additional Government Advocate, on

instructions of respondents no.2 and 4, whose officers are present in Court submits that the respondent no.2 is ready to reconsider the applications dated 14/9/2015 filed by the petitioners seeking permission to erect temporary structures on the subject property i.e. Survery no.109/2, of Cavellossim village within a period of four weeks time, on the condition that the petitioner during this period shall not use the structures/caravan vans in question for any commercial purposes.

5. Learned counsel for the petitioner, on instructions, makes a statement in the nature of an oral undertaking of the petitioner no.2, who is present in Court that the petitioners during the said period of time i.e. four weeks from the date of order of this Court or the order on the applications dated 14/9/2015 filed for grant of permission is finally disposed of, whichever is earlier, the petitioners shall not use the structures/caravan vans in question for any commercial purpose.

6. The oral undertaking so given by the petitioners is

accepted and so is the statement made by the learned Additional Government Advocate on behalf of respondent no.2.

7. Accordingly, it is directed that respondent no.2 shall reconsider the applications dated 14/9/2015 filed by the petitioner within a period of four weeks from the date of this order and shall dispose of the same within the said period.

8. It is directed that respondent no.2 shall as a special case grant personal hearing to the petitioner before the final order is passed. The petitioners shall not use the structures/caravan vans in question for any commercial purpose during the said period of time. In case, the applications are rejected, the order impugned in this petition shall not be given effect to for a period of two weeks from the date of the order of rejection of the applications and the aforesaid undertaking in that case shall continue to be adhered to for two weeks more.

9. Rule is made absolute in these terms. No costs.

10. Authenticated copy be furnished to both sides.

S. B. SHUKRE, J.

Ap/-