

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 726 OF 2016

SHRI. SWAPNESH SALGAONKAR AND 4
ORS.

... Petitioners

Versus

STATE OF GOA THR. CHIEF SECRETARY
AND 14 ORS.

... Respondents

Mr. Gajendra Usgaonkar, Advocate for the petitioners.
Mr. Pravin N. Faldessai, Additional Govt. Advocate for
respondents No. 1,2,3,5,6,11 & 12.

Coram:- SMT. R. P. SONDURBALDOTA &
C. V. BHADANG, JJ.

Date:- 1st December, 2016

P.C.:

Five petitioners in this petition seek by prayer clause (a) a writ of mandamus directing respondent No.1, State of Goa and its authorities to investigate into the alleged tampering with the Government record i.e. Gat Book of Survey No. 64/1 of Village Assagao and take appropriate action under law against the "fraudster". By prayer clause (b), the petitioners seek writ of certiorari to quash the Order dated 29th June, 2016 passed by respondent No.3 in Case No.DC/MAP/CRZ/79/2014, holding that he has no jurisdiction to investigate into the fraud. By prayer clause (c), they seek quashing of approval granted by respondent No.11 dated 11th June, 2014, Technical Clearance granted by respondent No.12 dated 21st July, 2014 and the

construction licence granted by respondent No.14 dated 8th August, 2014 to the respondent No.15.

2. The petitioners do not disclose in the petition their locus to challenge the approval, the clearance and the licence granted to respondent No.15. They merely claim to be the villagers of Assagao Village and contend that they had noticed that no structure was existing in Survey No.64/1 of Revenue Village Assagao earlier and therefore assume that existence of the structure shown in the record amounts to tampering of the record. The present petition has not been filed as a Public Interest Litigation. The petitioners have no concern with the land in question. As such they have no locus standi to file the present petition. The petition is, therefore, dismissed. The petitioners have clearly acted as busybodies. As such, they are liable to pay costs. Each of the petitioners shall pay costs quantified at Rs.10,000/-. The costs to be deposited with the Goa State Legal Services Authority within four weeks.

C. V. BHADANG, J.

SMT. R. P. SONDURBALDOTA, J.

ssm.