

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.965 OF 2017
IN
WRIT PETITION NO.386 OF 2017

Swapna Developers.		Applicant.
Versus		
Rosario Fernandes and Anr.		Respondents.

Ms. D. Shirgam, Advocate for the Applicant.

Mr. Nigel da Costa Frias, Advocate for the Respondent No.1 & 2-
Original Petitioners.

Mr. A. Gomes Pereira, Additional Govt. Advocate for the original
Respondents No.3 & 4.

Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.

Date : 12 December 2017.

P.C. :

This application is taken out for modification of the
Order dated 27 September 2017 in Writ Petition No.386/2017.

2. The learned Counsel for the Applicant-original
Respondent No.1 states that reference to the permission to be
obtained from the Town and Country Planning Department for
construction of the drain, is unnecessary. According to the learned

Counsel for the Respondents No.1 & 2, the permission from the Town and Country Planning Department is contemplated.

3. We do not think that the order, as it stands, in any way prejudices the Applicant-original Respondent No.1. If the Applicant-original Respondent No.1 makes an application to the Town and Country Planning Department and the Town and Country Planning Department finds that in law their permission is not necessary for construction of the drain, the Town and Country Planning Department will no doubt inform the Applicant accordingly.

4. In view of this position, no further clarification is required. The Civil Application is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.