

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO. 13 OF 2017

**GUILD OF ACTIVE MEMBERS FOR ACTION
AND REVIEW (G.O.A.M.A.R.) THR.
V.P., MICHAEL J. A. A. RODRIGUES.,**

... Petitioner

Versus

**THE SOUTH GOA PLANNING AND
DEVELOPMENT AUTHORITY, THR. ITS
MEMBER SECRETARY AND ANR.,**

... Respondents

Mr. Nigel Da Costa Frias & Ms. L. Sawant, Advocates for the petitioner.

Mr. M. Pereira, Advocate for respondent no.1.

Mr. Yogesh V. Nadkarni, Advocate for respondent no.2.

Mr. P. Dangui, Government Advocate for respondent no.3.

Coram:- SHANTANU S. KEMKAR &
NUTAN D. SARDESSAI, JJ.

Date:- 6th February 2018

P.C.

By filing this Public Interest Litigation Writ Petition, the petitioner is seeking direction against respondent no.1 to immediately take necessary action with regard to the illegal construction/development undertaken by respondent no.2 in the buildings A,B,C,D,E,F&G of Osia Commercial Complex, near SGPDA Market, Margao Goa and to have the property restored to its original condition by removing any illegal/unauthorised construction/development carried out therein.

2. The learned Government Advocate appearing for respondent no.3 has placed on record the order dated 25.01.2018 passed by the Chief Town Planner (Planning) and Member Secretary, TCP Board dismissing the appeal filed by the second respondent.

3. In the circumstances, the learned counsel for respondent no.1 submits that in case there is no illegal impediment after the dismissal of the appeal filed by the second respondent, consequential action for removal of illegal construction and unauthorised construction will be taken expeditiously.

4. In view of the aforesaid stand being taken by the first respondent, we dispose of the PILWP.

NUTAN D. SARDESSAI, J. SHANTANU S. KEMKAR, J.
at*