

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 644 OF 2016

Nigel Francis D'souza.

... Petitioner

Versus

The Goa Coastal Zone Management
Authority, Thr. Its Member
Secretary And 4 Ors.

... Respondents

Mr. Ashwin D. Bhobe, Advocate for the Petitioner.

Mr. Arun A. S. Talaulikar, Additional Government Advocate for
Respondent no.1 and 2.

Mr. Devidas J. Pangam, Advocate for Respondent no. 6 to 10, 12, 13,
14 and 19.

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

Date : 4 April 2018.

P. C.

By this Petition, the Petitioner has prayed for a direction to Respondent nos. 1 to 4 and other statutory authorities to implement the directions issued by Respondent no. 1, Goa Coastal Zone Management Authority on 21 July 2015. By order dated 25 September 2017 in the present Writ Petition, this Court had directed

the Goa Coastal Zone Management Authority to decide the complaint filed by the Petitioner. An additional affidavit has been filed on behalf of Respondent no. 1 dated 5 March 2018 annexing a copy of the order passed on 23 February 2018 by the Respondent no. 1, wherein the Respondent no. 1 has dismissed the complaint filed by the Petitioner in exercise of powers under Section 5 of the Environment (Protection) Act, 1986 read with sub-rule 3(a) of Rule 4 of the Environment (Protection) Rules, 1986.

2. The learned Counsel appearing for Respondent no. 6 to 10 and 12, 13, 14 and 19 and the learned Additional Government Advocate point out that the Petitioner has a remedy of appeal before the National Green Tribunal against the order passed by the Respondent no. 1 Authority under Section 5 of the Environment Protection Act, 1986. The learned Counsel for the Petitioner informs that appeal has already been filed. In these circumstances, it is not necessary to keep the Writ Petition pending and the same is disposed of keeping all the contentions of all the parties open to be adjudicated before the Appellate authority.

Prithviraj K. Chavan , J.

N.M. Jamdar, J.