

IN THE HIGH COURT OF BOMBAY AT GOA***WRIT PETITION NO. 471 OF 2018.***

Arun Dhyamba Morje, ... Petitioner.

Versus

State of Goa, thr. The Chief
Secretary and 7 ors. ... Respondents.

Mr. C. Padgaonkar, Advocate for the Petitioner.

Ms. S. Linhares, Advocate for the Respondent nos.1, 2, 3, 4,5 and 7.

Mr. G. Naik, Advocate for the Respondent no.6.

Mr. V. Amonkar, Advocate for the Respondent no.8.

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

Date : 23 July 2018.

P.C.:

By this petition, the Petitioners have sought a Writ of Mandamus to the Goa Coastal Zone Management Authority (GCZMA) to adjudicate the complaint of the Petitioner and also to the Village Panchayat, Morjim to take action based on the notice issued by the Panchayat.

2. The learned Counsel for the Respondent no.8-Private Respondent, whose construction has been questioned, placed before us the order passed by the GCZMA dated 17 July 2018. The learned

Counsel for the parties further pointed out to us that the Authority has held that the construction put up by the Respondent no.8 is in violation of Coastal Regulations Zone(CRZ) and directions have been issued under Section 5 of the Environment Protection Act and the Rules. The learned Counsel for the Respondent no.8 states that Respondent no.8 will take necessary action thereupon.

3. Considering the prayer made and the order passed by the Authority dated 17 July 2018, the grievance made by the Petitioner is worked out, which fact has been agreed by the learned Counsel for the Petitioner.

4. As regards the direction to the Village Panchayat is concerned, the Village Panchayat will have to act keeping in mind the order passed by the GCZMA or any further order that may be passed on the same, keeping in mind the finding of the Authority.

5. We make it clear that while disposing of this petition we have only looked into the violation of CRZ and not in the other violations alleged by the Petitioner, which contentions are kept open to be considered at the appropriate stage.

6. Writ Petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.