

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 800 OF 2018

SURESH TUKARAM SHIRODKAR., ... Petitioner

Versus

THE GOA COASTAL ZONE MANAGEMENT
AUTHORITY, THR. ITS MEMBER
SECRETARY AND 3 ORS., ... Respondents

Shri Shivan Desai, Advocate for the Petitioner.

Shri Amogh Prabhudessai, Additional Government Advocate for
the Respondent Nos. 1, 2 and 3.

Coram:- C. V. BHADANG, J.

Date:- 3rd August 2018

ORAL ORDER:

Heard Shri Desai, the learned Counsel for the petitioner.

2. The petitioner, by this petition, is challenging the order dated 13.07.2018, passed by the respondent no. 1, under Section 5 of the Environment (Protection) Act, 1986, directing demolition of the subject structure, which is a residential house.

3. By the impugned order, the respondent no. 1, has directed the petitioner to demolish the disputed house, within 15 days from the date of receipt of the order. According to the petitioner, a copy of the order has been received by the petitioner on 21.07.2018.

4. The learned Counsel for the petitioner pointed out that as per Section 16(g), the appeal period to approach the National Green Tribunal is thirty days and in that view of the matter, the respondent no. 1, ought to have granted minimum period of thirty days to the petitioner, for compliance of the order.

5. Shri Desai, the learned Counsel for the petitioner submits that he will not press the challenge to the impugned order, since the petitioner intends to approach the National Green Tribunal, under Section 16(g). The limited relief claimed, is to extend the time for compliance till 20.08.2018.

6. The learned Additional Government Advocate appearing for the respondent nos. 1, 2 and 3, in all fairness, submits that this Court may pass appropriate orders.

7. In that view of the matter, the petition is disposed of. The period, as granted by the impugned order, is extended till 21.08.2018. Needless to mention that this Court has not examined the rival contentions of the parties, which are left open.

C. V. BHADANG, J.