

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 824 OF 2018

COSMOS PREMISES PVT. LTD., REP. BY
ITS GEN. MANAGER, SHIWAM VERMA., ... Petitioner

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 2 ORS., ... Respondents

Shri Shivan Desai, Advocate for the Petitioner.
Shri P. Dangui, Government Advocate for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 14th August 2018

P.C.

Learned Counsel appearing for the petitioner submitted that an order has been passed by the learned Single Judge of this Court(C. V. Bhadang,J) passed in Writ Petition No.800 of 2018 dated 03.08.2018 in similar lines where a challenge was to the order passed by the respondent no.2 under Section 5 of the Environment (Protection) Act, 1986, directing the demolition and opening of a ten metres access on the southern side of the property belonging to the petitioner.

2. By the impugned order, the respondent no.2 has directed the petitioner to remove the obstruction within fifteen days from the date of receipt of the order. Learned Counsel appearing for the

petitioner claims that a copy of the order has been received by the petitioner on 01.08.2018.

3. The learned Counsel appearing 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 a minimum period of thirty days to the petitioner for compliance with the order.

4. Learned Counsel appearing 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 01.09.2018.

5. Shri Dangui, learned Government Advocate appearing for the respondent nos.1 and 2, in all fairness, submits that this Court may pass appropriate orders.

6. In that view of the matter, the petition is disposed off. The period, as granted by the impugned order, is extended till 01.09.2018. Needless to mention that this Court has not examined the rival contentions of the parties which are left open.

7. Considering the nature of the order passed in this petition, notice to the respondent no.3 is not found necessary and hence dispensed with.

NUTAN D. SARDESSAI, J.

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