

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.755 OF 2017

Reuben Franco.

..... Petitioner.

Versus.

State of Goa through its
Chef Secretary & others.

..... Respondents.

Mr. Rohit Bras de Sa, Advocate for the Petitioner.

Mr. Sagar Dhargalkar, Additional Government Advocate for the
Respondent No.1.

Mr. Hanumant D. Naik, Advocate for Respondent No.3.

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

Date : 24 July 2018.

P.C.:

By this Petition, the Petitioner has sought a relief that veracity and truthfulness of a complaint filed against the Petitioner to the North Goa Planning and Development Authority, be examined.

2. The Petitioner has raised various grounds as regards bias on the part of the Authority. He has made certain allegations against the Chairman of the Authority and has also contended that the complaint is made by a person who does not exist, which is a counterblast to his complaint made against the Chairman.

3. A copy of the complaint is placed on record. It is stated to have been filed by one Mrs. Lavitha Fernandes. It is dated 17 July 2017. Thereafter there is a communication issued by the Member Secretary of the Planning Authority to the Petitioner calling for information regarding legality of the structure. The complaint is that the Petitioner's structure, of which details are given, is in violation of the Coastal Regulation Zone. Once this fact has been brought to the notice of the Planning Authority, the Planning Authority has initiated proceedings.

4. As regards the contention of the Petitioner that no such person exists, the Planning Authority when it decides the said complaint, will look into this aspect and the grievance made by the Petitioner. After the decision is taken by the Authority, and if it is against the Petitioner, it is always open in law to the Petitioner to challenge the same in accordance with law.

5. With the aforesaid observations, the Petition is disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.