

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 249 OF 2019

MACKENZIE DA COSTA.,

... Petitioner

Versus

THE STATE OF GOA, THR. CHIEF
SECRETARY AND 3 ORS.,

... Respondents

Mr. V. Rodrigues, Advocate for the petitioner.

Mr. D.J. Pangam, Advocate General with Mr. S.Redkar,
Additional Government Advocate for the respondent No.1.

Mr. M. Pereira, Advocate for the respondent No.2.

Ms. A. Tirodkar, Advocate for the respondent No.3.

Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.

Date:- 30th September, 2019

P.C.:

Heard Mr. V. Rodrigues, learned Advocate for the petitioner,
Mr. D.J. Pangam, learned Advocate General appears on behalf of
the respondent No.1, Mr. Pereira, learned Advocate appears on
behalf of the respondent No.2 and Ms. A. Tirodkar, learned
Advocate appears on behalf of the respondent No.3.

2. The respondent No.4 has been duly served in this matter.

3. The challenge in this petition is to the revocation order dated

07/12/2017 by which the South Goa Planning and Development Authority has purported to revoke the development permission dated 30/12/2016 granted by it earlier to the petitioner.

4. Upon a query of the Court, Mr. Pereira, learned Counsel for the respondent No.2 i.e. the Member Secretary of South Goa Planning and Development Authority admits that no Show Cause Notice was issued to the petitioner before the impugned revocation order was made.

5. According to us, the impugned revocation order visits the petitioner with civil consequences. Accordingly, the same ought to have preceded by the compliance of principles of natural justice. Since this has not been done, we set aside the impugned revocation order dated 07/12/2017.

6. We however clarify that our aforesaid order will not preclude any of the authorities from proceeding in the matter in accordance with law. This will include compliance with principles of natural justice.

7. The petition is disposed of in the aforesaid terms.

8. All concerned to act on the basis of the authenticated copy of this order.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

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