

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 569 OF 2019

ELEUTERIO D. FERNANDES.,

... Petitioner

Versus

THE STATE OF GOA, REP. THR. CHIEF
SECRETARY AND 8 ORS.,

... Respondents

Mr. Vithal Naik, Advocate for the Petitioner.

Ms. Sapna Mordekar, Additional Government Advocate for
Respondents no. 1 to 7.

Mr. V. R. Tamba, Advocate for Respondent No. 8.

Mr. Andre Pereira, Advocate for Respondents no. 9 and 10.

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

Date:- 1st October, 2019

P.C.

The main grievance of the Petitioner in the matter is that the statutory authorities are not proceeding with their action against certain constructions, which, the Petitioner alleges, are illegal and unauthorised constructions made by Respondent no. 9.

2. The record indicates that the Deputy Director of Panchayats (N) has already issued Show Cause Notice dated 13.08.2018. Ms. Mordekar, learned Additional Government Advocate states that this Show Cause Notice will be disposed of one way or the other, within a period of 4 months from today.

We add that such proceedings shall be held consistent with the principles of natural justice and fair play.

3. Mr. Naik states that the Petitioner has already made complaints to the Town & Country Planning Department. If such complaints are indeed made, the said authorities to dispose of such complaints, again, in accordance with law and on their own merits as expeditiously as possible and in any case within 2 months from today. This is, in case, no action has already been taken. We clarify that we have not examined the rival contentions including the contention of locus standi now sought to be raised by Mr. Pereira. All contentions of all the parties are therefore kept open to be disposed by the appropriate authorities and at appropriate stage.

4. With the aforesaid directions, this petition is disposed of.

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

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.