

IN THE HIGH COURT OF BOMBAY AT GOA***MISC. CIVIL APPLICATION NO. 392 OF 2019******IN******PIL WRIT PETITION NO. 18 OF 2018***

Mr. Sanjeev Kumar Gupta

... Applicant

Versus

State of Goa, through its

Chief Secretary and 33 Ors.

... Respondents

Mr. Kapil D. Kerkar, Advocate for the Applicant.

Mr. Amey Phadte, Advocate for the original Petitioner.

Mr. Ashwin D. Bhobe with Ms. A. Fernandes, Advocates for the Respondent Nos.13 and 14.

Mr. Shivan Desai, Advocate for the Respondent Nos.17 to 22.

Mr. Pravin Faldessai, Additional Government Advocate for the State.

WITH***MISC. CIVIL APPLICATION NO. 451 OF 2019******IN******PIL WRIT PETITION NO. 18 OF 2018***

Mr. Dinesh Dashrath Singh & Anr.

... Applicants

Versus

State of Goa, through its

Chief Secretary and 32 Ors.

... Respondents

Mr. Kapil D. Kerkar, Advocate for the Applicant.

Mr. Ashwin D. Bhobe with Ms. A. Fernandes, Advocates for the Respondent Nos.13 and 14.

Mr. Shivan Desai, Advocate for the Respondent Nos.17 to 22.

Mr. Pravin Faldessai, Additional Government Advocate for the State.

WITH
MISC. CIVIL APPLICATION NO. 452 OF 2019
IN
PIL WRIT PETITION NO. 18 OF 2018

Mr. Rajesh Yadav ... Applicant
Versus
State of Goa, through its
Chief Secretary and 33 Ors. ... Respondents

Mr. Kapil D. Kerkar, Advocate for the Applicant.
Mr. Ashwin D. Bhobe with Ms. A. Fernandes, Advocates for the
Respondent Nos.13 and 14.
Mr. Shivan Desai, Advocate for the Respondent Nos.17 to 22.
Mr. Pravin Faldessai, Additional Government Advocate for the State.

WITH
MISC. CIVIL APPLICATION NO. 459 OF 2019
IN
PIL WRIT PETITION NO. 18 OF 2018

Mr. Uday Rajendra Singh ... Applicant/Intervener
Versus
State of Goa, through its
Chief Secretary and 32 Ors. ... Respondents

Mr. Kapil D. Kerkar, Advocate for the Applicant/Intervener.
Mr. Ashwin D. Bhobe with Ms. A. Fernandes, Advocates for the
Respondent Nos.13 and 14.
Mr. Shivan Desai, Advocate for the Respondent Nos.17 to 22.
Mr. Pravin Faldessai, Additional Government Advocate for the State.

WITH
MISC. CIVIL APPLICATION NO. 461 OF 2019
IN
PIL WRIT PETITION NO. 18 OF 2018

Mrs. Malti Gupta ... Applicant/Intervener
Versus
State of Goa, through its
Chief Secretary and 32 Ors. ... Respondents

Mr. Kapil D. Kerkar, Advocate for the Applicant.

Mr. Ashwin D. Bhobe with Ms. A. Fernandes, Advocates for the Respondent Nos.13 and 14.

Mr. Shivan Desai, Advocate for the Respondent Nos.17 to 22.

Mr. Pravin Faldessai, Additional Government Advocate for the State.

Coram : S.C. Gupte, &
Prithviraj K. Chavan, JJ.

Date : 14th June, 2019.

P.C. :

The Writ Petition complains of illegal hill cutting, as also cutting of a large number of trees and conversion of a large area of orchard land, and illegal constructions thereupon. By an Order dated 09.07.2018, this Court observed that the work of plotting and construction was apparently being carried out at site, without there being any permission in place. This Court, in the premises, directed the Officer In-charge for registering Sale Deeds in the area in question,

not to entertain any request for registration of sale deeds, or make consequent entries in the Record of Rights, unless the purchasers of the plots or the applicants seek appropriate leave from this Court in the pending PIL Writ Petition.

2. Misc. Civil Applications No. 459 of 2019 and 461 of 2019 are filed by third party applicants who claim to be transferees of plots in the area bearing Nos.66 and A44, admeasuring 258 sq.mtrs. and 255 sq.mtrs. respectively. Their grievance is that after purchase of the property, they applied for partition, but that, it was not allowed because of the order passed by this Court on 09.07.2018. The applicants accordingly seek intervention in the PIL Writ Petition, with a view to seek appropriate reliefs in their case concerning the Order dated 09.07.2018.

3. The interventions are allowed. The applicants shall be heard in the PIL Writ Petition. Misc. Civil Application Nos.459 of 2019 and 461 of 2019, are accordingly disposed of.

4. So far as Misc. Civil Applications for modification of the Order of 09.07.2018 are concerned, they shall be heard after allowing the other contesting parties to show cause. Misc. Civil Application

Nos.392 of 2019, 451 of 2019 and 452 of 2019 are accordingly stood over to 28th June, 2019.

Prithviraj K. Chavan, J.

S.C. Gupte, J.

Dv*