

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 384 OF 2019

MARGARIDA F. RODRIGUES AND ANR. ... Petitioners

Versus

THE STATE, THR. CHIEF SECRETARY

AND 5 ORS. ... Respondents

Mr. Prasheen Lotlikar, Advocate for the petitioners.

Mr. D. Pangam, Advocate General with Ms. Priyanka Kamat,
Additional Government Advocate for respondents No.1, 2, 5 & 6.

Mr. Amey Kakodkar, Advocate for respondent No.3.

Mr. John Cardozo, Advocate for respondent No.4.

Coram:- S. C. GUPTA &

PRITHVIRAJ K. CHAVAN, JJ.

Date:- 17th June 2019

P.C.:

This Writ Petition challenges construction carried out by respondent No.4 in plot 'B' of the property bearing survey No.56/4 admeasuring 155 Sq.Mts. situated along the bank of river Mandovi in village Malim, Bardez, Goa. This Court, by its order dated 15/04/2019, directed respondent No.2-The Goa Coastal Zone Management Authority to depute an Officer at the site and verify whether illegal construction was going on within 5 mtrs. of the high tide line and whether any permission was granted by the Authority to

carry out the construction. Respondent No.2 Authority has carried out the requisite verification and has found that the construction carried out by at site was illegal and without any permission from the Authority. Respondent No.2 - Authority has accordingly issued a Show Cause Notice to respondent No.4 based on its inspection report. Respondent No.2 - Authority will have to now hear the parties including respondent No.4 and the petitioners herein and pass its final order after hearing them. Learned Counsel for respondent No.4 submits that his client shall file his reply to the Show Cause Notice within two weeks from today. Within 8 weeks of such reply, respondent No.2- Authority shall take a final decision and pass order.

2. All rights and contentions of the parties on merits are kept open. Interim order passed by this Court on 22/05/2019 shall continue to operate till respondent No.2 - Authority takes a final decision and passes an order in the matter.

3. The Petition is disposed of in the above terms.

PRITHVIRAJ K. CHAVAN, J.

S. C. GUPTA, J.

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