

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 401 OF 2019

VIRENDRA PATEL

... Petitioner

Versus

STATE OF GOA, THR. ITS CHIEF

SECRETARY AND ANR

... Respondents

Mr. Parag S Rao, Advocate for the petitioner.

Ms. Priyanka Kamat, Additional Government Advocate for respondent No.1.

Mr. S. Mahambrey with Ms. V. Fernandes, Advocates for respondent No.2.

**Coram:- S. C. GUPTE &
NUTAN D. SARDESSAI, JJ.**

Date :- 3rd July 2019

P.C.:

This petition challenges an order passed by respondent No.2-Greater Panaji Planning and Development Authority. The grievance of the petitioner mainly is that the Authority has effectively decided a private border dispute by means of the impugned order. It is submitted that in respect of the very structure, which is the subject matter of dispute, there is a civil suit pending between the concerned parties.

2. Learned Counsel appearing for respondent No.2 submits that a fresh Show Cause Notice shall be issued to the petitioner

and he will be heard before passing any fresh order in the matter.

3. The petition, is in the premises, disposed of by quashing and setting aside the order dated 09/07/2018 and reserving the liberty to respondent No.2 to issue a fresh Show Cause Notice to the petitioner in respect of the subject matter of the impugned order. In the event such notice is issued, respondent No.2 shall hear the petitioner and pass a reasoned order thereafter. All the rights and contentions of the parties on merit are kept open.

NUTAN D. SARDESSAI, J.

S. C. GUPTE, J.

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