

IN THE HIGH COURT OF BOMBAY AT GOA***PUBLIC INTEREST LITIGATION NO.27 OF 2019***

Cavelossim Villagers Forum,
A Society registered under the
Societies Act, 1860 bearing
registration no.196/Goa/2013,
with its office at H.No.314/L IBR Plaza,
Patrecantem, Cavelossim, Salcete Goa 403731
through its President Mr. Iris Passanha,
r/o. H.No.314/L, Patrecantem,
Cavelossim, Salcete Goa. Petitioner.

Versus

1. Village Panchayat Cavelossim,
through its Secretary,
Cavelossim, Salcete Goa.
2. The Collector South,
South Goa District,
Margao-Goa.
3. The Goa Coastal Zone Management
Authority, through its Member Secretary,
C/o. Department of Science, Technology
and Environment, Government of Goa,
1st Floor, Deeddayal Upadhyay Bhawan,
Pundalik Nagar, Alto Porvorim,
Bardez, Goa-403521.

4. The Goa State Pollution Control Board
through its Member Secretary,
Opposite Saligao Seminary, Saligao,
Bardez, Goa-403511.
5. The State of Goa
through its Chief Secretary,
Secretariat, Porvorim, Bardez, Goa.
6. M/s. Mobor Beach Resort [Grand Gigi],
through its General Manager
Mr. Bradley Gaffino, Patrecantem,
Cavelossim, Salcete-Goa.
7. The Town Planner,
Town & Country Planning Department,
Margao, Salcete, Goa. Respondents.

Mr. Nigel Da Costa Frias with Ms. Bavina Kukalekar, Advocates for the Petitioner.

Mr. V. A. Lawande, Advocate for respondent no.1.

Mr. D. Pangam, Advocate General with Ms. Susan Linhares, Additional Government Advocate for respondent nos.2, 3, 5 and 7.

Mr. D. Lawande with Mr. P. Dangui and Mr. Amogh Prabhudesai, Advocates for respondent no.4.

Mr. A. D. Bhobe with Ms. K. Govenkar and Ms. Andrea Rodricks, Advocates for respondent no.6.

***Coram : PRADEEP NANDRAJOG, CJ., &
M. S. SONAK, J.***

Date : 7th October 2019.

P.C.:

The crystal which emerges from the concentrate of the distillates of the prolix, pleadings and documents is the grievance of the petitioner to the sixth respondent violating the terms of the consent to establishment granted to it by the Goa Coastal Zone Management Authority on 28.09.2018. Under the temporary shack policy which is in conformity with the CRZ-2011 Notification, to put up purely temporary and seasonal structures customarily put up between the months of September to May has been granted in favour of the respondent no.6.

2. Without pleading the nature of the material used, grievance in the petition is to the construction of a dance floor and road with kadappa stones leading to the beach in Village Cavelossim. As per respondent no.6 it has used wood to lay down the dance floor.

3. The response filed by the Goa Coastal Zone Management Authority is that the complaint received from the petitioner has been forwarded to the District Level Committee to report after inspecting the factual position at the site in question.

4. Thus, as prayed by the learned counsel for the petitioner, we dispose of the petition directing the Goa Coastal Zone Management

Authority to finalize the decision required to be taken by ensuring that the District Level Committee submits the report after the site visit within two months and after hearing the sixth respondent, pass necessary order.

5. There shall be no order as to costs.

M. S. SONAK, J.

CHIEF JUSTICE

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