

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 488 OF 2019

ADWALPALKAR CONSTRUCTIONS AND RESORTS PVT. LTD., REP. THR. ITS DIRECTOR, SHRIPAD M. ADWALPALKAR	... Petitioners
Versus	
STATE OF GOA, THR. ITS CHIEF SECRETARY AND 2 ORS.	... Respondents

Mr. Shivan Desai, Advocate for the petitioners.

Mr. D.J. Pangam, Advocate General with Mr. Deep Shirodkar,
Additional Government Advocate for respondent No.1 and 2.

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

Date :- 4th July 2019

P.C.:

This petition challenges two orders passed by respondent no.2. The orders concern demolition of a structure owned by the petitioners. The first order, dated 02/05/2019, was challenged originally in the present petition. During the pendency of the petition and pursuant to directions issued by this Court by way of an interlocutory order, a fresh hearing was given and the second order was passed on 15/05/2019. The grievance of the petitioners is that before the second order was passed, the petitioners had sought time to respond to the Site Inspection Report on the basis of which the order was passed

but that opportunity was denied to them. Learned Advocate General appearing on behalf of respondent No.2 offers to give a hearing to the petitioners afresh and after allowing them time to respond to the Site Inspection Report. The petition is, in the premises, disposed of by quashing and setting aside orders dated 02/05/2019 and 15/05/2019 and directing respondent No.2 to give a fresh hearing to the petitioners concerning the Site Inspection Report relied upon by the respondents against them. The petitioners shall also be entitled to file written objections in the matter. Such written objections, including objections, if any, to the site inspection report, must be submitted within two weeks from today. The hearing must be conducted within three weeks thereafter. Final order in the matter shall be passed only after hearing the petitioners.

NUTAN D. SARDESSAI, J.

S. C. GUPTE, J.