

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO. 27 OF 2013

- 1 Mrs. Sheetal S. Dabholkar,
Member of Village Panchayat
Anjuna – Caisua, Bardez – Goa.
Resident of House No.324,
Anjuna, Caisua, Bardez- Goa.
Mobile No.9850233979,
PAN Card No. AHUPD6605R,
National Unique Identity No. 5958 5745 9469,
Annual Income : Rs.4,00,000/-
Major in age.

- 2 Mrs. Suhasini Surendra Govekar,
Member of Village Panchayat Anjuna – Caisua,
Bardez- Goa, aged 44 years,
resident of House No.455,
Dabholwada, Chapora,
Anjuna , Bardez- Goa- 403 509.
Mobile No. 9850702311,
PAN Card No. AHTPG0752H
Nationality Unique Identity No. 8012 9863 0944
Annual Income :Rs.6,80,000/- Petitioners

- Versus

- 1 Village Panchayat of Anjuna- Caisua,
through its Secretary,
having office at V.P. Anjuna – Caisua,
Bardez, Goa.

- 2 The Director of Panchayats,
Government of Goa,
having office at Junta House,
Junta House, Panaji – Goa.

- 3 Goa Coastal Zone Management Authority,
through its Member Secretary,
having office at Dempo Towards,

EDC Complex, Patto, Panaji – Goa.

- 4 State of Goa,
 through its Chief Secretary,
 having office at Secretariat,
 Porvorim, Bardez – Goa.
- 5 Atul Kumar Gupta
 r/o. Anjuna, Anjuna, Bardez, Goa. Respondents
 (Amendment carried out as per order dtd.
 20/1/2014.)

Mr. P. Sawant, Advocate for the Petitioners.

Mr. S. Dhargalkar, Additional Government Advocate for the Respondent
no.2, 3 and 4.

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

Date:- 10th October, 2019.

Oral Judgment (Per Pradeep NandraJog, CJ):

Heard learned counsel for the parties.

2. The grievance in the petition is to 40 shops stated to be constructed within 200 metres of the High Tide line in the No Development Zone on land comprised in survey No. 133/1 of village Anjuna.

3. The photographs show that using bamboo and palm leaves temporary erections have been made and handicraft are sold therefrom.

4. Generically, a construction is a cement, motor, brick structure having permanency. Shacks are not constructed but are erected.
5. Law prohibiting construction relates to cement, bricks, motor structures having permanency and cannot embrace temporary erections using bamboo and palm leaves.
6. No ecological damage is caused to the shore line when temporary erections of the kind which are visually seen by us in the photographs are erected.
7. The temporary erections have since been removed as stated by the learned counsel for the respondent no.3/the Goa Coastal Zone Management Authority.
8. Thus the petition is disposed of as infructuous.

M. S. SONAK, J.
ap/-

THE CHIEF JUSTICE, J.