

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1043 OF 2018

CARLOS CABRAL.,

... Petitioner

Versus

**STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS.,**

... Respondents

Mr. Mahesh Amonkar, Advocate for the Petitioner.
Mr. V. R. Tamba, Advocate for respondent no.5.
Ms. K. Govenkar, Advocate holding for Mr. A. D.Bhobe,
Advocate for respondent no.3.
Mr. D. Lawande, Advocate General with Mr. A. Prabhudessai,
Addl. Govt. Advocate for the respondent nos.1 and 2.

Coram:- R. D. DHANUKA &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 8th April 2019

P.C.

Learned Counsel appearing for the Corporation City of Panaji and the learned Advocate General appearing for the Goa Coastal Zone Management Authority state that their respective clients have already issued notices to the Respondent no.5. Respondent no.3 has issued stop work order/show cause notice dated 8.11.2018 where as respondent no.2 has issued notice for site inspection dated 21.2.2019 to the Respondent no.5.

2. The learned Counsel for the Petitioner states that respondent no.2 has already carried out site inspection pursuant to the notice dated 21.2.2019. Matter is now pending before the said

Authority. The learned Advocate General states that parties would be heard before taking any further action pursuant to the site inspection carried out by the respondent no.2 and after hearing both the parties, an appropriate order would be passed. Statement is accepted. Respondent nos.2 and 3 are accordingly directed to dispose of notices issued by them after hearing the petitioner as well as respondent no.5 within eight weeks from today in accordance with law and after complying with the principles of natural justice and shall communicate the order to both the parties within one week from the date of passing of such order.

3. Respondent no.5 shall not carry out any further construction without obtaining further sanction from the Authorities. It is made clear that if any of the Authority passes any order, the petitioner or respondent no.5 if aggrieved by such order would be at liberty to file appropriate proceedings. It is made clear that this Court has not expressed any views on the merit of the matter. All contentions of the parties are kept open.

4. Petitioners as well as respondent no.5 shall appear before the Authority on the date of such meeting and shall not seek any unnecessary adjournment.

5. Writ Petition is accordingly disposed of. No order as to costs.

6. Parties to act on the basis of the authenticated copy of this Order.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.

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