

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 888 OF 2019

RUTH MEDEIRA PAI.,

... Petitioner

Versus

STATE OF GOA, THR. THE CHIEF
SECRETARY AND 6 ORS.,

... Respondents

Mr. Amey Kakodkar, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Ankita Kamat,
Addl. Government Advocate for the Respondent Nos. 1 to 3.

Mr. Sudesh Usgaonkar and Ms. Rosette Pereira, Advocates for
the Respondent No.4.

Mr. Pranay A Kamat, Advocate for Respondent Nos.5 to 7.

Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.

Date:- 11th November, 2019

P.C.:

Heard learned Counsel for the parties.

2. The grievance of the petitioner is that the Statutory Authorities are not taking any action in the matter of construction undertaken by the respondent nos.5 to 7 in survey no.118/87 of village Nagorcem, Palolem, which construction, according to the petitioner, is unauthorised.

3. Mr. D. Pangam, learned Advocate General states that

necessary inspection has been carried out and the Goa Coastal Zone Management Authority (GCZMA) proposes to take cognizance of the petitioner's complaint. He submits that the GCZMA will initiate appropriate proceedings and dispose of the same in accordance with law and on their own merits, within a period of two months from today.

4. He states that an opportunity of hearing will be afforded to the respondent nos.5 to 7 before any action is taken. The learned Advocate General states that in the facts of the present case, even the petitioner will be heard in this matter.

5. According to us, the aforesaid statement substantially redresses the grievance of the petitioner.

6. Mr.Kakodkar,learned Counsel submits that the petitioner will be given liberty to pursue the matter with the Municipal Council and other authorities that may be concerned. The petitioner will have liberty in this regard.

7. By accepting the aforesaid statement, this petition is disposed of.

8. We make it clear that we have not gone into the issue of legality or otherwise, of the construction in question and it is for

the GCZMA and other statutory authorities, to go into this issue and decide the matter in accordance with law.

9. The petition is disposed of on the aforesaid terms.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

MF/-