

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 64 OF 2020

CYPRIAN SIMON SILVEIRA.,

... Petitioner

Versus

COASTAL ZONE MANAGEMENT AUTHORITY,
THR. ITS MEMBER SECRETARY OF GOA
AND 4 ORS.,

... Respondents

Mr. Pranay A Kamat, Advocate for the petitioner.
Mr. Shivdatt P. Munj, Additional Government Advocate for the
respondent nos.1 and 3.

Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.

Date:- 29th January, 2020

P.C.

Heard Mr. P. Kamat, learned Counsel the petitioner and Mr. S. Munj, learned Additional Government Advocate for the respondent nos.1 and 3.

2. Basic grievance of the petitioner is that the respondent no.5 has allegedly put up illegal construction within Coastal Regulation Zone Area (CRZ area) without any approval and in an area which is otherwise not meant for such construction. The petitioner, has placed on record complaint made to the various Authority including in particular Goa Coastal Zone Management Authority (GCZMA) who is impleaded as the respondent no.1 in the present petition. The record indicates that the Deputy Collector has taken cognizance of the petitioner's complaint and

issued memorandum dated 1.1.2020 which is an annexure to this petition.

3. Mr. Munj, learned Additional Government Advocate for respondent no.1 (GCZMA) on instructions states that even the GCZMA will look into the complaint of the petitioner and if found that the allegations are correct, then, initiate action in terms of the law. He states that about three weeks' time be granted for initialisation of the action.

4. We accept the aforesaid statement made by Mr. Munj on behalf of the GCZMA. According to us, this substantially redresses the grievance of the petitioner. At the same time, we note that if GCZMA finds any prima facie substance in the complaint of the petitioner, GCZMA, will undoubtedly, issue show cause notice to respondent no.5 before taking any final action. This takes care of the interest of the respondent no.5 as well. Accordingly, by accepting the statement as aforesaid, we dispose of this Writ Petition.

5. All concerned to act on the basis of the authenticated copy of this Order.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.