

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO. 47 OF 2018

**CAVELOSSIM VILLAGER'S FORUM, THR.
ITS PRESIDENT, IRIS PASSANHA.,** ... Petitioner

Versus

**VILLAGE PANCHAYAT OF CAVELOSSIM
AND 9 ORS.,** ... Respondents

Mr. Nigel Da Costa Frias with Mr. B. Pacheco, Advocates for the Petitioner.

Mr. Prashil Arolkar, Additional Government Advocate for Respondent Nos. 2 to 5, 7 and 10.

Mr. D. Lawande with Mr. P. Dangui and Mr. A. Prabhudessai, Advocates for Respondent No. 6.

Mr. Shivan Desai, Advocate for Respondent No. 9.

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

Date:- 22nd January, 2020

P.C.

Heard Mr. Nigel Costa Frias, the learned Counsel for the petitioner, Mr. Prashil Arolkar, the learned Additional Government Advocate for respondent nos. 2 to 5, 7 and 10, Mr. Lawande, the learned Counsel for the respondent no. 6 and Mr. Desai, the learned Counsel for the respondent no. 9.

2. The basic grievance in this Petition was that the GCZMA i.e. respondent no. 3 was not taking action against certain constructions put up by respondent no. 9 in the property bearing survey no. 107/1 of village Cavelossim, Salcete, Goa.

3. The record indicates that GCZMA had in fact issued show causes notices in the matter, to the respondent no. 9. However, GCZMA, in its 215th meeting held on 22.10.2019 has resolved to discharge the said notices. The extract of such decision has been shown to us by the learned Additional Government Advocate.

4. The learned Additional Government Advocate states that copies of the decision of the GCZMA will be furnished to both, the petitioner as well as to the respondent no. 9, within a period of two weeks from today.

5. Mr. Nigel Costa Frias, the learned Counsel for the petitioner states that liberty may be granted to the petitioner to challenge the decision of the GCZMA in accordance with law.

6. According to us, nothing further survives in this Petition and this Petition can be disposed off by accepting the statement made by the learned Additional Government Advocate and by granting liberty to the petitioner to take such steps as are available under the law in relation to the decision of the GCZMA. Needless to add that all contentions and objections in respect of other respondents including that of the petitioner are specifically kept open.

7. The Petition is disposed off in the aforesaid terms. There shall be no order as to costs.

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

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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