

IN THE HIGH COURT OF BOMBAY AT GOA**Writ Petition No.105/2021**

SANJAY D. HIROJI

... Petitioner

VersusTHE DISTRICT COLLECTOR
OF NORTH GOA AND 5 ORS.

... Respondents

Mr. John James Samuel, Advocate for the Petitioner.

Ms. Maria Correia, Additional Government Advocate for Respondents
No.1, 4 and 5.

Mr. H. D. Naik, Advocate for Respondent No.2.

Mr. Rohit Shirodkar, Advocate for Respondent No.3.

Coram:- M.S. SONAK &
SMT. M. S. JAWALKAR, JJ.Date:- 17th March 2021**P. C.:**

Heard Mr. Samuel for the petitioner. Ms. Maria Correia, the learned Additional Government Advocate appears for Respondents No.1, 4 and 5. Mr. H. D. Naik appears for Respondent No.2 and Mr. Rohit Shirodkar for Respondent No.3.

2. For the order which is proposed to be made no notice is necessary to respondent no.6.

3. Mr. Samuel, the learned counsel for the petitioner submits that

despite the petitioner making complaints to the various statutory authorities about the illegalities in the project put up by respondent no.6, such complaints are not looked into and action taken in pursuance to the same. He therefore seeks writ of mandamus directing the authorities to look into and dispose of the complaints made by the petitioner in a time bound manner.

4. On instructions, Mr. Samuel, does not, for the present, press for relief in terms of prayer clause (b) of this petition. He however seeks liberty to seek such reliefs on a latter occasion, should, the grievances of the petitioner survive. Accordingly, liberty as prayed for is granted.

5. Respondents no.1 to 5 are directed to dispose of petitioner's complaint in the form of a legal notice dated 03.11.2020 which is exhibited as Annexure A (page 16) to this petition. The authorities to dispose of this complaint on its own merits and in accordance with law as expeditiously as possible and in any case within three months from today. The authorities, should naturally comply with the principles of Natural Justice and Fair Play, if, it is proposed to take any adverse action against respondent no.6. Since, we are providing this safeguard, we have, for the present, not issued any notice to respondent no.6.

6. Further, we clarify that we have not gone into the merits of the petitioner's complaint and therefore the authorities will have to look

into the merits uninfluenced by anything said by us in this order.

7. The petition is disposed of by issuing above directions. There shall be no order as to costs.

8. Mr. Samuel, the learned counsel for the petitioner states that the petitioner will supply to respondent no.6 an authenticated copy of this Order within one week from today.

9. All concerned to act based on the authenticated copy of this Order.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.