

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION WP NO.16 OF 2020

Jawaharlal Shetye

... Petitioner

Versus

The Chief Secretary,
State of Goa & Ors.

... Respondents

Mr. Rohit Bras De Sa, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate for Respondent Nos.1, 2, 3, 4, 6, 7 and 8.

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. S. Karpe and Mr. Abhishek Sawant, Advocates for Respondent Nos. 10 and 11.

Mr. A. D. Bhobe and Ms. K. Govenkar, Advocates for Respondent No.9.

Mr. P. Shirodkar, Advocate for Respondent No.5.

**Coram:- M. S. SONAK &
SMT. BHARATI H. DANGRE, JJ.**

Date:- 18th January, 2021

P.C.

Heard Mr. Rohit Bras De Sa, learned counsel for the Petitioner, Mr. D. Pangam, Advocate General who appears along with Ms. Maria Correia, learned Additional Government Advocate for Respondent Nos.1, 2, 3, 4, 6, 7 and 8, Mr. J. E. Coelho Pereira, learned Senior Advocate who appears along with Mr. S. Karpe and Mr. Abhishek Sawant, learned counsel for Respondent Nos. 10 and 11, Mr. A. D. Bhobe, learned counsel for Respondent No.9 and Mr. P. Shirodkar, learned counsel for Respondent No.5.

2. According to us, this petition can be disposed of by directing the Respondent No.3 and 5 to treat the present petition itself as a representation/complaint and to dispose of the same on its own merits and in accordance with law. Accordingly, we direct the Respondent No.3 to dispose of this representation/complaint as expeditiously as possible and in any case within three months from today.

3. Similarly, we also direct the Chief Officer of Respondent No.5 i.e. the Chief Officer of Mapusa Municipal Council to dispose of this representation/complaint as expeditiously as possible and in any case within one month from today. This is more so since the Petitioner complains that the parking places are being used for the purposes other than parking and this rendering it difficult for the lawyers and Court staff to park their vehicles.

4. Though we are issuing these directions, we clarify that we have not gone into the rival contentions or for that matter the allegations and counter allegations made in this petition.

5. Therefore, it will be for the concerned Authorities to look into all these aspects and dispose of the representation/complaint in accordance with law.

6. The Respondent Nos.3 and 5 to communicate their decisions to the parties within the period indicated.

7. In the peculiar facts of this case, the Respondent Nos.3 and 5 should afford opportunity of hearing not only to the affected parties but also the Petitioner herein. Again, we make it clear that by issuing such directions, it is not as if we have accepted the bonafides of the Petitioner. All contentions of parties in this regard are expressly kept open.

8. This petition is disposed of in the aforesaid terms.

SMT. BHARATI H. DANGRE, J.

M. S. SONAK, J.

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