

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.828 OF 2019

M/s. Oasis Guest House

... Petitioner

Versus

State of Goa & Ors.

... Respondents

Mr. Prasheen Lotlikar, Advocate for the Petitioner.

Mr. P. Arolkar, Additional Government Advocate for the State-
Respondents No.1 and 2.

Coram:- M.S. SONAK, J.

Date:- 15th January, 2021

P. C.:

Heard Mr. Prasheen Lotlikar for the Petitioner and Mr. Prashil Arolkar, learned Additional Government Advocate for respondents no.1 and 2.

2. Upon query of the Court as to why the petitioner should not be relegated to avail the alternate remedy before the National Green Tribunal (NGT), Mr. Lotlikar submitted that this petition was filed on the ground that there was violation of principles of natural justice. He submits that even later on this petition could not be withdrawn with liberty to file appeal before the NGT on account of the Covid'19 Pandemic situation. He submits that if liberty is granted, the

petitioner, will file necessary appeal before the NGT within four weeks from today.

3. Since, the petitioner, has alternate and efficacious remedy available before the NGT, it will not be appropriate to entertain the present petition. Accordingly, leave is granted to the petitioner to withdraw with liberty to file appropriate proceedings before the NGT. In case such proceedings are filed within four weeks from today, there is no doubt that the aspect of pendency of this matter before this Court as also the difficulties created on account of the Covid'19 Pandemic situation will be taken into consideration by the NGT.

4. Further, the interim order which is operating in this matter is directed to operate for further period of four weeks from today. However, the petitioner will also have to maintain status quo at the site insofar as any further construction is concerned.

5. This petition is disposed of as withdrawn with liberty as aforesaid. All contentions of all parties are expressly left open.

M. S. SONAK, J.