

Vinita

**IN THE HIGH COURT OF BOMBAY AT GOA.**

**WRIT PETITION NO.119 OF 2022.**

ANUP VISHRAM PRABHU ...Petitioner  
WALVALKAR  
VS  
CONRAD FERDINAND ...Respondent.

Mr. J. J. Mulgaonkar, Advocate for the petitioner.

**CORAM: M. S. SONAK, J.**

**Date: 10<sup>th</sup> June, 2022**

**P.C.**

The challenge in this petition is to the orders dated 5.11.2021 and 29.12.2021 made by the Goa Real Estate Regulatory Authority.

2. As against such orders, the petitioner has an alternate and efficacious remedy available under the Real Estate (Regulation and Development) Act, 2016 (said Act) to the Appellate Authority constituted under the said Act.

3. Mr. Mulgaonkar, however, submits that since this is a case of breach of principles of natural justice, this Court can entertain a petition.

4. His submissions could have been ordinarily accepted. In this case, however, the petitioner did apply to the Authority for recall of its order dated 5.11.2021, but, such application was rejected. Therefore, issues as to whether there is any breach of natural justice or not are also required to be examined in some detail.

5. In such circumstances, it would be appropriate to relegate the petitioner, who is incidentally a builder to avail of the alternate remedy of appeal, if he so chooses.

6. Therefore, this petition is not entertained. However, liberty is granted to the petitioner to avail of an alternate remedy of appeal under the said Act.

7. Petition is disposed of with liberty as aforesaid. There shall be no order for costs.

**M. S. SONAK, J.**

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