

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.155 OF 2023

KASHINATH JAIRAM SHETYE

... PETITIONER

Versus

THE GOA COASTAL ZONE MANAGEMENT
AUTHORITY, THR. ITS MEMBER
SECRETARY AND 6 ORS

... RESPONDENTS

Mr Vishal Sawant, Advocate for the Petitioner.

Mr D.J. Pangam, Advocate General with Mr Tukaram Gawas, Addl.
Govt. Advocate for the State.

WITH

WRIT PETITION NO. 160/2023

KASHINATH JAIRAM SHETYE.

.... PETITIONER.

Versus

THE GOA COSTAL ZONE MANAGE-
MENT AUTHORITY. THR. ITS
MEMBER SECRETARY & 4 ORS.

..... RESPONDENTS.

Mr Vishal Sawant, Advocate for the Petitioner.

Mr D.J. Pangam, Advocate General with Ms A. Bhat, Addl. Govt.
Advocate for the State.

**CORAM:- BHARAT P. DESHPANDE &
VALMIKI SA MENEZES, JJ.**

DATED :- 22nd December, 2023

P.C.:

1. Heard Mr Vishal Sawant for the Petitioner and the learned
Advocate General, who appears along with the respective Addl. Govt.
Advocates.

2. The learned Advocate General invited our attention to an order passed by a co-ordinate Bench in Writ Petition No.179/2023 dated 27th October 2023, to which one of us (Bharat P. Deshpande,J.) is a party. The learned Advocate General further submits that the said decision passed by the co-ordinate Bench covers the issues regarding jurisdiction and alternate remedy, which are raised by the Respondents in these matters.

3. The learned Counsel for the Petitioner would, therefore, submit that liberty be granted to the Petitioner to prefer an appeal before the appropriate Court in accordance with Section 22 of The National Green Tribunal Act, 2010.

4. On perusal of the decision passed by the co-ordinate Bench dated 27th October 2023, we are of the view that the points raised in the present Petitions, including the issue of jurisdiction, are squarely covered by the said decision and we see no reason to take a different view.

5. Accordingly, the Petitioner in the above Petitions, is at liberty to challenge the orders before the National Green Tribunal in accordance with Section 22 of The National Green Tribunal Act, 2010.

6. The Writ Petitions are dismissed on the ground that the

Petitioner has alternate remedy under Section 22 of The National Green Tribunal Act, 2010 and is at liberty to prefer an appeal challenging the impugned orders in accordance with Section 22 of the Act.

7. Both the Petitions stand disposed of.

VALMIKI SA MENEZES, J. BHARAT P. DESHPANDE, J.

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