

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 421 OF 2023

RASIKLAL MOHANLAL
GANGANI

..... Petitioner

Versus

THE STATE OF GOA THR.
CHIEF SECRETARY AND 7 ORS

.....Respondents

Mr Rohit Bras De Sa and Mr P. Navti, Advocates for the Petitioner.
Mr D. Pangam, Advocate General with Ms Akshata Bhat, Additional
Government Advocate for Respondent Nos. 1, 3 and 5.
Mr H. D. Naik and Mr A. D. Naik, Advocates for Respondent Nos.2
and 8.
Ms P. Gawandi, Advocate for Respondent No.6.
Mr Raunaq Rao, Advocate for Respondent No.7.

CORAM: M. S. SONAK &
BHARAT P. DESHPANDE,JJ.

DATED : 5th SEPTEMBER 2023

P.C.:

1. Heard Mr Rohit Bras De Sa, learned counsel for the Petitioner. Mr D. Pangam, learned Advocate General appears along with Ms Akshata Bhat, learned Additional Government Advocate for Respondent Nos. 1, 3 and 5. Mr H. D. Naik appears for Respondent Nos. 2 and 8. Ms P. Gawandi appears for Respondent No.6 and Mr R. Rao appears for Respondent No.7.

2. The Petitioner's grievance in this petition was about some construction put up by Respondent No.7 and inaction on the part of the statutory authorities in taking action against the same.

3. During the pendency of this petition, the North Goa Planning and Development Authority i.e. Respondent No.2 has issued revocation order – cum-rejection of the revised plan dated 03.08.2023 regards Respondent No.7's structure.

4. Mr Rao, learned counsel for Respondent No.7 states that Respondent No.7 has already appealed against the order dated 03.08.2023 before the Town and Country Planning Board. He points out that once such appeal is lodged, such lodging operates as a stay on the order appealed against.

5. Mr Rao states that even the Petitioner has been impleaded as Respondent No.3 in the appeal. Mr Rao hands over a copy of the appeal memo to Mr Rohit Bras De Sa who accepts the same on behalf of the Petitioner.

6. Mr De Sa submits that some directions may be issued to the Board to dispose of the appeal expeditiously.

7. The learned Advocate General states that the Board will dispose of this appeal as expeditiously as possible and in any case within three months from

today. This statement is accepted and the Board is directed to act accordingly.

8. Now that the statutory authorities are activated into the action, there is no good reason to keep this petition pending. Accordingly, this petition is disposed of by directing the Board to dispose of Respondent No.7's appeal on its own merits and in accord with law as expeditiously as possible and in any case within three months from today. The Board must communicate its decision to the parties within this period of three months.

9. All contentions of all parties are left open to be decided by the Board.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

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