

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.345 OF 2023

SARAS CO-OPERATIVE HOUSING SOCIETY
LTD THR. ITS CHAIRMAN SHRIKANT V.
GAONKER

... PETITIONER

Versus

STATE OF GOA THR CHIEF SECRETARY
AND 5 ORS

... RESPONDENTS

Mr Arjun F. Naik, Advocate for the Petitioner.

Mr Tukaram Gawas, Additional Government Advocate for
Respondent Nos. 1,3 and 4.

Mr S. Karpe and Mr A. Sawant, Advocate for Respondent No.2.

Mr Abhay Nachinolkar, Advocate for Respondent Nos. 5 and 6.

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

DATED :- 27th September, 2023

P.C.:

Heard learned counsel for the parties.

2. Mr Karpe, learned counsel appearing for Respondent No.2 submits that while preparing the reply, it is observed that the application for revised plan is filed by Respondent Nos. 5 and 6.

3. We propose to dispose of the present petition on the submission of Mr Karpe that Respondent No.2 shall issue show cause notice to Respondent Nos. 5 and 6 with regard to illegalities pointed

out by the Petitioner in their complaints. Similarly, the application for revised plan filed by Respondent Nos.5 and 6 shall also be considered by giving a hearing to both of them.

4. Mr Karpe submits that the show cause notice as well as the application for revised plan will be disposed of within a period of six weeks from the date of issuance of show cause notice. Accordingly, we direct Respondent No.2 to issue show cause notice within two weeks and thereafter dispose of the show cause notice as well as the application for revised plan filed by Respondent Nos. 5 and 6, within a period of six weeks thereafter.

5. Mr Naik, learned counsel appearing for the Petitioner points out that final notice dated 24.01.2022 is not implemented. Mr Karpe submits that the said notice will also be considered along with the show cause notice and will be disposed of within the above period.

6. Mr Nachinolkar, learned counsel appearing for Respondent Nos. 5 and 6 states that the revised permission obtained prior to the said notice will have to be considered while deciding the show cause notice. Mr Karpe submits that all these aspects will be taken into consideration.

7. All contentions of all parties are kept open.

8. The petition stands disposed of accordingly.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

TARI AMRUT NAGESH Digitally signed by TARI AMRUT NAGESH
Date: 2023.09.28 11:41:48 +05'30'