

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.726 OF 2023

MOHINI PRAKASH MAINKAR AND ANR ...Petitioner

VS

**STATE OF GOA, THR CHIEF SECRETARY
AND 11 ORS ...Respondents**

Mr. Preetam Talaulikar, Advocate for the Petitioners.

Mr. Siddharth Samant, Additional Government Advocate for Respondent
Nos. 1 to 10.

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

DATE: 25th OCTOBER,2023

P.C.:

1. Heard Mr. Preetam Talaulikar, learned Counsel for the Petitioners and Mr. Siddharth Samant, learned Additional Government Advocate for Respondent Nos. 1 to 10.
2. Leave is granted to implead Comunidade of Colvale as respondent No.13. Amendment to be carried out forthwith.
3. In the order we proposed to make no notice is necessary to make to respondent Nos.11 to 13. The petitioner seeks the following substantial reliefs in this petition:

A Issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ or direction, directing Respondents to grant personal hearing and consider the representation/objections dated 26/07/2023 filed by the

petitioners before granting any development permission with regards to survey no.277/0 of village Colvale.

B. Issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ or order or direction, directing the Collector of North Goa Panaji to dispose off the Revision Application bearing No. APPL/ACI/REB/04/23/86 filed by the Petitioner in a time bound manner.

4. Without going into the rival contentions, we direct respondent No.5 i.e. Deputy Town Planner, Mapusa - Goa to consider and dispose of the petitioner's representation dated 26/07/2023 as expeditiously as possible.
5. If any adverse orders are proposed, the Deputy Town Planner must comply with natural justice and afford an opportunity of hearing to the petitioner and 11th, 12th and 13th respondents.
6. Similarly, even the Collector North Goa is directed to dispose of the petitioner's revision as early as possible and in accordance with law. The Collector must also comply with principles of natural justice and fair play and afford an opportunity to hear all the parties.
7. Mr. Talaulikar assures the Court that the petitioner will not delay the proceedings before the Collector and seek any unnecessary adjournment.
8. The Deputy Town Planner and the Collector must communicate their decisions to the parties as expeditiously as possible.
9. The petition stands disposed of accordingly.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

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