

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO. 38 OF 2023

CHAHIT BANSAL AND ANR. ... PETITIONERS
VS
STATE OF GOA THR. THE CHIEF
SECRETARY AND 9 ORS. ... RESPONDENTS

Mr Rohit Bras de Sa with Mr Joel Pinto, Advocates for the
Petitioners.

Mr Devidas J. Pangam, Advocate General with Mr Neehal
Vernekar, Additional Government Advocate for Respondent
Nos. 1, 2, 4, 5, 8 and 9.

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

DATED: 6th NOVEMBER 2023

P.C.:

1. Heard Mr Rohit Bras De Sa for the Petitioners. The learned Advocate General appears along with Mr Neehal Vernekar, the learned Additional Government Advocate for Respondent Nos. 1, 2, 4, 5, 8 and 9.
2. For the order that we propose to make, no notice is necessary to the remaining Respondents.
3. The Petitioners' main grievance is that their complaints about the illegal filling of paddy fields, conversion and sinking of

bore wells are not being attended to by the statutory Authorities. Mr De Sa points out to the complaint dated 02.08.2023 and other complaints, which are placed on record along with this Petition. The complaints give the survey numbers and even photographs are enclosed to it.

4. Accordingly, we direct the Authorities to dispose of the complaints within three months from today by following the principles of natural justice and fair play. The decision on such complaints must be communicated to the Petitioners and the affected parties within three months from today.

5. The learned Advocate General states that the complaint about the filling of low-lying areas/paddy fields will be dealt with by the Town and Country Planning Authority. He says that the complaint of conversion will be attended to by the concerned Deputy Collector of Mapusa and the complaint as far as sinking of the bore wells is concerned will be looked into by the Executive Engineer, Water Resources Department, Work Division I, Panaji. The learned Advocate General states that the adversely affected parties will also be granted an opportunity for a hearing.

6. In the peculiar facts of the case, even the Petitioners should be given an opportunity for hearing, provided they do not seek any adjournment.

7. Mr Rohit Bras De Sa points out that the complaints have also been made to the Panchayat, based upon which, the

Panchayat has also issued notices on the institution of this Petition. Even the Panchayat should take such notices to their logical conclusion. The Panchayat must also dispose of such complaints within a maximum period of three months from today.

8. With the above directions, we dispose of this Petition.
9. All concerned to act on an authenticated copy of this Order.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.