

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.226 OF 2024

BAINA WATER SPORTS ASSOCIATION
REPRESENTED THR. ITS SECRETARY MR.
RAJENDRA MAHABALESHWAR RANE

... PETITIONER

Versus

THE STATE OF GOA THR. ITS CHIEF
SECRETARY AND 4 ANR

... RESPONDENTS

Mr Ressano Hector Noronha, Advocate for the Petitioner.

Mr Pravin N. Faldessai, Additional Government Advocate for the
Respondents.

**CORAM:- M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATED :- 11th March, 2024

P.C.

The petitioner is a Water Sports Association operating at Baina beach, Vasco, Goa.

2. The petitioner has complaints about the non-implementation of the queue system and several other grievances related to Water Sports at Baina Beach. Accordingly, they have addressed a representation/complaint dated 01.12.2023 to various authorities including the Director of Tourism and the Police Inspector of the Coastal Police Station. They now contend that their grievances are not promptly redressed by the Authorities.

3. Mr Faldessai, learned Additional Government Advocate states that the Captain of Ports has taken cognizance of the petitioner's complaints and based upon the same, issued 7 show cause notices dated 24.01.2024 to alleged violators. Accordingly, we direct the Captain of Ports to dispose of the show cause notice in accordance with law and on their own merits as expeditiously as possible and in any case within 15 days from today.

4. Mr Faldessai states that the alleged violators were heard on 13.02.2024. Accordingly, the show cause notice must be disposed of within 15 days from today. The decision therein must also be communicated to the petitioners.

5. Mr Faldessai, on instructions, states that the Director of Tourism has also issued notices dated 02.02.2024 to 3 violators. He states that 17 notices are proposed to be issued in the next two days to the alleged violators.

6. Again, we direct that the Director of Tourism must dispose of these 20 show cause notices as expeditiously as possible and in any case within 15 days from today by complying with principles of natural justice and fair play. The decision on these notices must be communicated to the petitioner within 3 weeks from today.

7. Since the petitioner has raised certain grievances in relation to the water sports activities on the Baina Beach, we direct the Director of Tourism to dispose of the petitioner's representation dated 01.12.2023 in accordance with law and on its own merits as expeditiously as possible and in any case within a month from today.

8. In disposing of the petitioner's representation, the Director must have due regard to the orders made by this Court in Writ Petition No.216 of 2011 on 30.06.2011 and the order dated 31.08.2012 in Contempt Petition No.3 of 2012 in Writ Petition No.216 of 2011. The Director of Tourism must also have due regard to the Notification published in the Official Gazette dated 07.01.2024 concerning the demarcation for water sports activities on the South Goa beach.

9. With the above directions, we dispose of this petition. There shall be no order for costs.

10. All concerned to act on an authenticated copy of this order.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.

MARIA SUZANA REBELLO

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