



Niti

IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION WP NO.30 OF 2024

TRAJEN DMELLO

... PETITIONER

Versus

**STATE OF GOA THR. CHIEF SECRETARY
AND 4 ORS**

... RESPONDENTS

Mr Sahil Sardessai, Advocate for the Petitioner.

Mr S.P. Munj, Additional Government Advocate for Respondent No.1.

Mr P. Talaulikar, Advocate for Respondent Nos.2 and 3.

Ms Marie Rosette Pereira, Advocate for Respondent No.4.

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

DATED :- 1st July, 2024

P.C.:

Heard learned Counsel for the petitioner.

2. Mr Talaulikar, learned Counsel for respondent nos.2 and 3 raised a serious objection as to the locus of the petitioner to maintain such PIL. It is submitted that the petitioner has been set up by a rival political party. It is submitted that the petitioner is a resident of Porvorim whereas the petitioner has filed this petition alleging an illegality in respect of the structure of respondent nos.2 and 3, which is situated in Palolem.

3. Be that as it may, Ms Pereira, learned Counsel for respondent no.4 has submitted that the Canacona Municipal Council has already initiated action against the offending structure/s of respondent nos.2 and 3. She submitted that the petitioner-complainant though has not appeared before respondent no.4, but nonetheless, respondent no.4 has issued a show cause notice against the offending structures. She submits that action will be taken in accordance with law after complying with the applicable rules and statutory provisions in this regard.

4. In view of the stand of respondent no.4, we find action has already been initiated. In the facts of the present case, we do not see any reason to keep the petition pending. Needless to mention respondent no.4 to ensure that the show cause notice is taken to its logical conclusion. All the contentions raised in the petition are kept open.

5. The petition is disposed of. No costs.

VALMIKI MENEZES, J.

M. S. KARNIK, J.