

Andreza



IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION WP NO.38 OF 2024
WITH
MISC.CIVIL APPLICATION NO.537 OF 2023

PUBLIC INTEREST LITIGATION WP NO.38 OF 2024
HARIHAR VITHAL CHODANKAR AND ANR ... PETITIONERS
Versus
STATE OF GOA, THR. CHIEF SECRETARY
AND 11 ORS ... RESPONDENTS

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Versus
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AND 11 ORS., ... RESPONDENTS

Mr Om D'Costa, Advocate for the Petitioners.

Mr P. Arolkar, Additional Government Advocate for Respondent
Nos.1 to 9.

Ms. Simran Khadilkar, Advocate for Respondent No.10.

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

DATED :- 2nd August, 2024

P.C.

Heard learned Counsel for the petitioners and learned Additional
Government Advocate for the State.

2. Compliance/affidavits are filed on behalf of the respondents. On
the basis of such affidavits, the learned Additional Government
Advocate has placed an updated chart on record indicating the action

that is proposed to be taken. Accordingly, in respect of those matters, show cause notices are issued. It is stated that the show cause notices shall be disposed of within four months. So far as restoration of the land mentioned in the chart is concerned, it is stated that the same shall be restored within six months.

3. After the show cause notices are taken to its logical conclusion, the restoration be completed within a period of six months thereafter.

4. Learned Additional Government Advocate submitted that there are some survey numbers the petitioners indicated which are not in existence. Learned Counsel for the petitioners may visit the office of the Deputy Collector and the Deputy Collector to render all possible assistance to the petitioners to inspect/identify the site in question. This will enable the Deputy Collector /his representative in identifying the survey numbers and then taking action in accordance with law. Learned Additional Government Advocate assures that the Deputy Collector will render all possible cooperation to the petitioners in this regard.

5. In so far as item nos. 6 as well as 7 of the updated chart is concerned, there is a mention that in respect of survey nos. 17/2, 59/6, 59/7, 56/17, 19/14, 106/3, 17/2, 19/14 and 3/5, the parties have filed appeals before the Administrative Tribunal of Goa and stay is granted. In the affidavit it has been stated that after disposal of the pending

proceedings under Section 33 of Land Revenue Code, necessary directions will be issued to the appropriate authority to restore the said land within a period of six months, in case the parties do not restore the said lands within the time limit as stated in the said orders.

6. Learned Counsel for the Petitioners stated that the Administrative Tribunal be requested to dispose of the appeals expeditiously. We request the Administrative Tribunal to dispose of the pending appeals as expeditiously as possible preferably within a period of six months from today on its own merits and in accordance with law.

7. Stand over to 07.02.2025, for compliance.

8. PIL Writ Petition stands disposed of. Misc. Civil Application No. 537 of 2023, does not survive and is disposed of accordingly.

BHARAT P. DESHPANDE, J.

M. S. KARNIK, J.