



Esha

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.202 OF 2025

IN

SUO MOTU WRIT PETITION NO.2 OF 2007

VILLAGE PANCHAYAT BHATI, THR. ITS
SARPANCH CHANDRAKANT D. GAONKAR,
SANGUEM

... APPLICANT

Versus

STATE OF GOA, THROUGH CHIEF
SECRETARY AND 44 ORS.,

... RESPONDENTS

Mr. Sandesh D. Padiyar, Senior Advocate with Mr. Prayash Shirodkar, Advocate for the Applicant.

Mr. Shubham Priolkar, Additional Government Advocate for Respondent Nos. 1, 3, 4, 5 and 6.

Ms. Malisa Simoes, Advocate holding for Ms. Norma Alvares, Amicus Curiae.

**CORAM:- BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.**

DATED :- 14th August, 2025

P.C:

MCA No. 202 of 2025 seek extension of time for grant of permission to issue construction license and for withdrawal of the amount deposited in terms of the order dated 20.02.2024.

2. On hearing the learned Senior Counsel Mr. Padiyar for the Applicant representing the Village Panchayat, Bhati, Sanguem, Goa, the learned Counsel holding for the Amicus, Ms. Alvares and the

learned Additional Government Advocate representing Respondent Nos. 1, 3, 4, 5 and 6, since there is no dispute that the MRF (Material Recovery Facility) is already in place and made operational and according to Mr. Padiyar, only because the timeline fixed by the Court, could not be adhered to, the Application for extension is filed, we allow the extension.

Mr. Padiyar would also invite our attention to the specific stipulation in the order for deposit of Rs.5 lakhs, which was by way of security and it is his specific submission that since the facility is now put in place, the amount be refunded to the Applicant.

3. In the wake of the above, while we allow the Application and grant extension as prayed for, we direct that the amount of Rs.5 lakhs, which is deposited in the Court as security for setting up the MRF is permitted to be withdrawn by the Applicant.

The Registry shall ensure this compliance.

4. Similarly, since the facility is in place, the restraint order imposed on 10.04.2023 on the Village Panchayat not to grant any permissions till the MRF is provided, also stand lifted up.

5. The Miscellaneous Civil Application stands disposed of.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.