

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.608 OF 2024

WITH

MISC.CIVIL APPLICATION NO.157 OF 2025 (F), MISC.CIVIL APPLICATION NO.1125 OF 2025 (F)

WRIT PETITION NO.608 OF 2024

DEAN D CRUZ

... PETITIONER

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 3 ORS.

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.157 OF 2025 (F)

DEAN D CRUZ

... APPLICANT

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 3 ORS.

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.1125 OF 2025 (F)

DEAN D CRUZ

... APPLICANT

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 3 ORS.

... RESPONDENTS

Ms Norma Alvares, Senior Advocate with Mr Om D'Costa, Advocate
for the Petitioner.

Mr Siddharth Samant, Additional Government Advocate for
Respondent Nos.1,2 and 3.

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

DATED :- 14th July, 2025

P.C.

1. In terms of our previous order, a site inspection was carried out,
and Mr. Samant, learned Additional Government Advocate, placed a

site inspection report on record. The whole conundrum, in the wake of the contentions advanced before us, is the determination of the location of the central line from which the distance of 15.50 mts. is to be measured.

2. We made a serious attempt to resolve the controversy, however, since we find that the approved plan has definitely shown different measurements from those reflected in the latest site inspection report, we are of the view that it would be appropriate to leave the matter to the competent authority to pass a reasoned order and communicate to the petitioner as to why completion certificate cannot be granted to the petitioner.

Depending upon the said communication, the petitioner is at liberty to avail such appropriate remedies as are available in law.

We must, however, clarify that we have not expressed any opinion on the merits of the case, and all rights and contentions of the parties are left open to be agitated before the appropriate authority.

Writ Petition stands disposed of accordingly. All pending Miscellaneous Civil Applications stand disposed of in consequence.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.