



Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO.443/2024

IN

PIL WRIT PETITION NO.13/2024

M/S. EKANA HOSPITALITY
(CANDOLIM) PRIVATE LIMITED

... APPLICANT

Versus

CALANGUTE
CONSTITUENCY FORUM
THR. ITS PRESIDENT
PREMANAND DIUKAR

... RESPONDENT

Mr S. G. Desai, Senior Advocate with Mr T. Rane, Advocate for the Applicant.

Mr Rohit Bras de Sa and Mr Joel Pinto, Advocates for the Respondent.

**CORAM: SARANG V. KOTWAL &
ASHISH S. CHAVAN, JJ.**

DATED: 16th DECEMBER 2025

P.C.:

1. This is an application filed by the Applicant (Original Respondent No.15). The three structures which are the subject matter of this application have been sealed by the order of this Court. The said structures are to be dismantled. The Applicant (Original Respondent No.15) makes the following statement in paragraphs 4 and 5 of the application, which read thus:-

“4. The Respondent No.15 has taken a decision to shift all the existing structures in Plot A beyond the said banyan tree in order to restore Plot A to its earlier condition or natural condition and for the time being stack the existing structures in the said Plot A beyond 200 mts. high tide line. The Respondent No.15 has also decided to develop both the plots by following or adhering to 200 mts. high tide line and by obtaining all necessary permissions in that behalf from the Respondents No.10, 11 and 12.

5. Presently, all the three structures existing in the said Plot A have been sealed by this Hon'ble Court. It is therefore necessary to de-seal them in order to enable the Respondent No.15 to dismantle the said structures and shift the dismantled structures as well as the items existing therein beyond the said banyan tree and towards the landward side and beyond 200 mts. of the high tide line in the said Plot A and/or the Plot C1 or partly in Plot A and partly in Plot C1.”

2. The prayer in the application is for direction to de-seal the said three structures and permit the Applicant (Original Respondent No.15) to dismantle the same and stack them away in the same plot or in the adjoining Plot C1 and beyond the 200 mts. high tide line. Since the Applicant is volunteering to dismantle the said three structures, we permit the structures to be de-sealed. We permit the Applicant (Original Respondent No.15) to dismantle the structures with a direction that the concrete debris should be disposed of and should not be kept on

the same plot or the adjoining plot. Subject to this condition, the said three structures are permitted to be dismantled and the Applicant (Original Respondent No.15) is permitted to stack the same within the limits of 200 to 500 mts. from the high tide line. It is made clear that this concession would not enable the Applicant (Original Respondent No.15) to re-construct the structures on the plot without requisite permissions.

3. The authorities shall de-seal the said three structures within a period of one week from today. The Applicant (Original Respondent No.15) shall dismantle the structures within a period of four weeks thereafter. The stacking of the dismantled structures shall be subject to further directions by the authorities. The issue of restoration of land can be examined in the main PIL Writ Petition No.13/2024.

4. Misc. Civil Application No.443/2024 is disposed of.

ASHISH S. CHAVAN, J.

SARANG V. KOTWAL, J.