



Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.173 OF 2025

DRISHTI LIFESAVINGS PVT. LTD.,
REP. BY ITS AUTH. SIGNATORY CMDR
NAVIN AWASTHI

... PETITIONER

Versus

THE STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 2 ORS.,

... RESPONDENTS

Mr S.N. Joshi with Ms Sharlene Joanne Orlando, Advocates for the
Petitioner.

Mr Prashil Arolkar, Additional Government Advocate for
Respondent Nos.1 and 2.

Mr Gaurish Agni with Mr Yash Naik, Advocates for Respondent
No.3.

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

DATED :- 24th April, 2025

P.C.

1. The Petitioner, a company incorporated under the Companies Act, engaged in the business of providing professional life guarding services, claim that it entered into a contract pursuant to a tender being invited for providing life guarding services and the contract was extended from time to time by the Department of Tourism, State of Goa, the last renewal being commencing from 01.04.2025.

2. The Petitioner is aggrieved by the issuance of the communication

dated 31.01.2025 by the Respondent No.3, Goa Tourism Development Corporation (GTDC), in reference to scouting of alternate location for its operation at Benaolim, as it is informed that the GTDC is in the process of developing the property in Benaolim through private investment mode and the development plans have already been submitted to the concerned Authorities and as soon as the requisite permissions are obtained, the construction work will commence.

3. Upon hearing Mr S. N. Joshi, the learned Counsel for the Petitioner as well as Mr Prashil Arolkar, the learned Additional Government Advocate representing the Tourism Department and Mr Gaurish Agni, learned Counsel for the Corporation, the facts which discern before us are to the effect that 500sq.mts of land was allotted to the Petitioner by the Corporation, at the request of the Tourism Department but it is the specific contention of Mr Agni that today, the Petitioner has sprawled its operation beyond this area.

This statement is specifically denied by the learned Counsel for the Petitioner, as he would submit that what is in occupation is only 500 sq.mts and nothing more than that.

4. We record this statement and though it is the contention of Mr Agni who has specifically pointed to us by inviting our attention to the various photographs which are placed before us today, that instead of operating life guarding services, the allotted area has been converted

into a dumping ground and operational workshop, which is not a permissible activity for which the land was allotted in favour of the Petitioners.

5. We would like to ascertain from the Petitioner his legal entitlement for the 500sq.mts of land but as on date since it is the specific contention advanced on behalf of the Petitioner that it is in occupation of 500 sq. mts., we expect the officials of GTDC to proceed on the site and clearly demarcate the 500sq.mts area, since it is the case of the Petitioner that it is not in occupation of any area in excess of the said area. The excess area shall be demarcated and shall be assumed to be in possession of GTDC.

6. Upon the said exercise being carried out within two days from today, we would like the parties to revert back, to determine the issue of entitlement of the Petitioner even to the area of 500sq.mts.

Learned Counsel for the State has placed before us the a communication dated 11.03.2025 addressed by the Petitioner to the Director, Department of Tourism, wherein it has categorically requested for an alternative accommodation in and around Colva beach area and specifically indicated four such sites, since it intend to have life guard centre in South Goa, for smooth operations.

Copy of the letter is also handed over to Mr Joshi, who shall obtain

necessary instructions.

7. Re-notify to 29.04.2025.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.