Vinita

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION (SUO MOTU) NO.3 OF 2024 WITH CONTEMPT PETITION NO.1597 OF 2025 (F), MISC.CIVIL APPLICATION NO.1709 OF 2025 (F), MISC.CIVIL APPLICATION NO.1736 OF 2025 (F), MISC.CIVIL APPLICATION NO.1754 OF 2025 (F), MISC.CIVIL APPLICATION NO.2095 OF 2025 (F), MISC.CIVIL APPLICATION NO.378 OF 2025, MISC.CIVIL APPLICATION NO.2555 OF 2025 (F), MISC.CIVIL APPLICATION NO.2557 OF 2025 (F)

PUBLIC INTEREST LITIGATION (SUO MOTU) NO.3 OF 2024

IN RE ILLEGAL CONSTRUCTIONS AND ENCROACHMENTS ... PETITIONER

Versus

THE STATE OF GOA THROUGH ITS CHIEF SECRETARY ... RESPONDENTS

WITH

CONTEMPT PETITION NO.1597 OF 2025 (F)

GEETANJALI BHUPENDRASINH RAJEBHOSALE ... PETITIONER

Versus

VILLAGE PANCHAYAT OF ONA MAULINGUEM CURCHOREM THR. ITS SECRETARY AND 4 ORS ...RESPONENTS

WITH

MISC.CIVIL APPLICATION NO.1709 OF 2025 (F)

VILLAGE PANCHAYAT OF POMBURPA OLAULIM THR. ITS SECRETARY ... APPLICANT

Versus

NO PARTY ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.1736 OF 2025 (F)

VILLAGE PANCHAYAT OF GUIRIM ... APPLICANT

Versus

NO PARTY ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.1754 OF 2025 (F)

THE VILLAGE PANCHAYAT OF NERUL THR. ITS SECRETARY ... APPLICANT

Versus

NO PARTY ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.2095 OF 2025 (F)

THE VILLAGE PANCHAYAT OF MORLEM
THR. ITS SECRETARY ... APPLICANT

Versus

IN RE ILLEGAL CONSTRUCTIONS AND
ENCROACHMENTS ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.378 OF 2025

VILLAGE PANCHAYAT OF GULELI THR
ITS SECRETARY ... APPLICANT

Versus

IN RE ILLEGAL CONSTRUCTIONS AND
ENCROACHMENTS ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.2555 OF 2025 (F)

VILLAGE PANCHAYAT MACAZANA
THROUGH ... APPLICANT

Versus

THE STATE OF GOA THROUGH ITS
CHIEF SECRETARY ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.2557 OF 2025 (F)

VILLAGE PANCHAYAT
GUIRDOLIM THROUGH ... APPLICANT

Versus

THE STATE OF GOA THROUGH
ITS CHIEF ... RESPONDENTS

Mr Vithal Naik, Amicus Curiae.
Mr Venkatesh Nayak Salatry, Advocate for Village Panchayat of Assagao through VC.
Mr Devidas J. Pangam, Advocate General with Ms Maria correia and Mr Shubham Priolkar, Additional Government Advocates for Respondent Nos.1 to 4, 6 to 8, 12, 13, 15 and 19.
Mr Parag Rao, Mr Akhil Parrikar and Mr Shulin Singbal, Advocates for Margao Municipal Council and Village Panchayat of Ponda, Poriem, Nagargao, Bhironda, Mauxi, Sanvordem, Cotorem, Amona and Querim.
Mr K. Panchal, Advocate for Village Panchayat of Batim, Curca-Bambolim, Bastora, Cortalim and Quelossim.
Mr Ivan Santimano, Advocate for Village Panchayat of Nuvem,

Guddi Paroda and Macasana.

Mr. Anand Shirodkar, Advocate for City of Corporation of Panaji (CCP). Ms Annelise Fernandes and Ms Kalpa Govekar, Advocates for Respondent Nos. 10, 118 and 135.

Mr B. Oliveira, Advocate for Respondent Nos. 167, 159, 198 and 202 (Village Panchayat of Cana-Benaulim, Xeldem and Quitol-Fatorpa) through VC.

Mr Jatin Ramaiya with Mr Pradeep Kashyap and Mr Omkar Parab, Advocates for Village Panchayat of Veling-Priol, Shiroda, Borim, Bandora, Bhoma and Quela.

Mr Vinoj K. Daniel, Advocate for Respondent No.172 (Village Panchayat of Navelim).

Mr Sameer Khedekar, Advocate for Respondent Nos.140, 141, 142, 143 and 144.

Mr Pankaj Pai Vernekar with Mr B. Fatarpekar, Advocates for Village Panchayat of Candolim, Parra, Azossim-Mandur and St. Estevem.

Mr Kapil D. Kerkar, Advocate for Village Panchayat of Nadora and Colvale through VC.

Mr Zeller D'Souza, Advocate for Respondent Nos. 146, 152, 153 and 157 (Village Panchayat of Chicalim, Sancoale, Velsao and Assolna).

Mr Sanman Keny, Advocate for Village Panchayat of Orlim through VC. Ms Pritika D. Shirodkar, Advocate for Mormugao Municipal Council.

Mr R. Sahakari, Advocate for Village Panchayat of Assolda, Xelvona, Xic Xelvona, Ambaulim, Avedem, Cotombi-Chaifi, Balli-Adnem, Barem- Quepem, Cavorem-Pirla, Molcornem, Naqueri-Betul and Morpila through VC.

Mr G. Teles with Ms. R. Ballari, Advocates for Village Panchayat of St. Lawrence.

Mr P. A. Kamat, Advocate for Village Panchayat of Calangute, Taleigao, Reis Magos, Pilerne, Siolim-Marna, Corlim, St. Andre, Goa Velha, Anjuna-Caisua, Marcaim, Neura, Palem-Siridao, Loliem, Poinguinim, Agonda and Cola.

Mr Prayash Shirodkar, Advocate for Municipality of Cuncolim, Bicholim and Mapusa.

Mr Amey Phadte, Advocate for Village Panchayat of Oxel and Siolim.

Mr Shivam S. Fadte with Mr. Gaurang Panandikar,

Advocates for Respondent Nos. 46, 54, 43, 50, 47, 52, 48, 39, 53, 45, 42 (Village Panchayat of Surla, Navelim, Harvalem, Pale-Cotombi, Pilgao, Kudnem, Naroa, Velguem, Mulgao, Advalpal, Salem, Menkurem Dhumashe and Sirgao).

Mr T. V. Patel, Advocate for the Respondent Nos. 168, 182, 184, 155, 166 and 180 through VC.

Mr Om D'Costa, Advocate for the Respondent No. 149.

Mr B. Oliveira holding for Mr T. Kamalkar, Advocates for Sanguem Municipality through VC.

Mr Jeet Volvoikar with Mr Sagar Rivankar and Mr Siddhant Karpe, Advocates for Respondent No.8.

Mr Pradosh Dangui, Advocate for Village Panchayat of Morlem and V.P. Gulali.

Mr Nigel Fernandes, Advocate for Respondent Nos. 106, 109 And 116.

Mr Laxman Pednekar with Ms. Ketaki Pednekar, Advocates for Respondent Nos. 16, 31 and 35.

Mr V. Sardessai, Advocate for Village Panchayat of Guirim, Pomburpa and Sangolda.

Mr Parikshit Sawant, Advocate for Village Panchayat of Arpora and Nagoa.

Ms Marie Rosette Pereira, Advocate for Canacona Municipal Council.

Mr Eeshan Usapkar with Mr Sayeel Lingudkar, Advocates for Respondent Nos. 88, 97 and 104 (Village Panchayat of Prina, Sirsaim and Carambolim).

Mr Omkar Kulkar, Advocate for Respondent No.100.

Mr J. Mulgaonkar and Ms S. Parulekar, Advocates for the Petitioner in CP No.1597/2025/F

Ms Nehal Shirodkar, Advocate for one of the Respondents.

CORAM:- SUMAN SHYAM &
AMIT S. JAMSANDEKAR, JJ.

DATED :- 17th February, 2026

P.C.

Noticing the rampant illegal constructions and encroachments on public roads and public spaces in the State of Goa, the present

Suo Motu Public Interest Litigation came to be registered. Various orders have been passed by this Court from time to time in this proceeding.

2. By order dated 06.03.2025, this Court had identified several categories constituting instances of violation and/or non-compliance of the Court's directions, which are required to be assessed and monitored.

3. In order to implement the directions passed by this Court, the Government of Goa has appointed two Nodal Officers, delineating their duties and functions, by issuing separate orders of appointment. The question that arises for consideration today is pertaining to the need to evolve a transparent mechanism to monitor the activities of the Nodal Officers and to ascertain effective compliance of the orders of this Court.

4. Various suggestions have been advanced by the learned Counsel appearing for the parties, including the learned *Amicus Curiae*, Mr Vithal Naik, and Mr Devidas Pangam, learned Advocate General for the State. We have considered the same.

5. After considering the submission made at the Bar, to begin with, this Court is of the opinion that compliance in

respect of roadside illegal constructions falling within the First and Second category of violation, as noted in the order dated 06.03.2025, should be looked into.

6. We, therefore, direct the two Nodal Officers so appointed, to examine the compliance affidavits filed by the concerned Panchayats/Municipalities/Corporation and thereafter, submit a consolidated, comprehensive report, indicating the extent of compliance with the orders of this Court. The said report shall be submitted within a period of four weeks from today. The hard copy of the report shall be furnished to the learned *Amicus Curiae*, and the soft copy shall be emailed to the learned Counsel appearing for the respective parties, who are to furnish their respective email IDs to both the Nodal Officers, within one week from today.

7. It has been brought to our notice that though certain Panchayats/Municipalities have filed affidavits purporting to show compliance with the Court's orders, yet, several Panchayats/ Municipalities/Corporations are yet to file their affidavits. The time granted earlier for filing such affidavits has already expired. Therefore, several Interim Applications have been filed seeking extension of time to file affidavits.

8. In view thereof, we direct that the remaining Panchayats/Municipalities/Corporation shall file their

affidavits in terms of the earlier orders of this Court within one week from today. Time for filing affidavit stands extended accordingly. Copies of such affidavits shall be furnished not only to the learned *Amicus Curiae* but also to the respective Nodal Officers. Upon receipt of the said affidavits, the two Nodal Officers shall examine the same and submit their reports.

9. Before parting, with the record, we place on record our appreciation for the assistance rendered by the learned *Amicus Curiae*. Considering the time, effort, and work that would have to be undertaken by the learned *Amicus Curiae* so as to render assistance to the Court in the present matter, we are of the view that suitable remuneration ought to be paid to him by the State.

10. Taking note of the suggestion made by the learned Advocate General, Goa, we direct that an amount of Rs.75,000/- be paid to Mr. Vithal Naik, as an initial deposit for the assistance rendered by him to this Court. The said amount shall be paid by the State Government within a period of two weeks from today by Demand Draft/Bank transfer.

11. In view of the present order, all pending applications seeking extension of time to file affidavit filed by the various Panchayats, Municipalities, and the Corporation shall stand

disposed of.

12. List the matter again on 06.04.2026 for further directions.

AMIT S. JAMSANDEKAR, J. **SUMAN SHYAM, J.**

Signed by: VINITA VIKAS NAIK
Designation: Private Secretary
Date: 23/02/2026 18:32:10