

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 78 OF 2020

Malcom Coelho

..... Petitioner

V e r s u s

State of Goa & Ors.

..... Respondents

Mr. V. Bandankar, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate for the Respondent nos. 1 to 3.

Mr. P. A. Kamat, Advocate for the Respondent no.4-Village Panchayat of Taleigao.

Coram :- M. S. SONAK &
M. S. JAWALKAR, JJ.

Date : 21st July, 2020

ORAL ORDER

1. Heard Mr. Bandankar, learned Counsel for the petitioner, Mr. D. Pangam, learned Advocate General for the respondent nos.1 to 3 and Mr. P. A. Kamat, learned Advocate for the respondent no.4.

2. The records indicate that service is complete upon the respondent nos.5 and 6. However, neither the said respondents nor their Advocate appears in this matter today.

3. For the order, which we propose to make, the presence of respondent nos.5 and 6 is really not necessary.

4. The learned Advocate General confirms that the complaint made by the petitioner with regard to certain constructions put up/being put up by respondent nos.5 and 6 is received by the Goa Coastal Zone Management Authority (GCZMA). He states that the GCZMA will dispose off such complaint in accordance with law as expeditiously as possible and, in any case, within a period of three months from today.

5. Similarly, Mr. P. A. Kamat, the learned Counsel for the Village Panchayat of Taleigao, on instructions, submits that in pursuance of the petitioner's complaint, inspection is scheduled at the site tomorrow, i.e. 22nd July, 2020. He states that even the Panchayat will dispose off the

petitioner's complaint in accordance with law as expeditiously as possible and, in any case, within a period of three months from today.

6. According to us, the grievance of the petitioner can be redressed by directing the GCZMA and the Panchayat consistent with the statements made on their behalf, to dispose off the petitioner's complaint as expeditiously as possible and, in any case, within a period of three months from today. We direct the two authorities accordingly.

7. We further add that the two authorities in disposing off the petitioner's complaints must comply with the principles of natural justice which include the issue of appropriate show cause notice to respondent nos.5 and 6. In the peculiar facts of the present case, if any hearing is proposed to be given by the two authorities to respondent nos.5 and 6, at the same time, hearing may also be given to the petitioner, in relation to the petitioner's complaint against the respondent nos.5 and 6.

8. With the aforesaid directions, this petition is disposed off.

9. All concerned to act on the basis of an authenticated copy of this order.

M. S. JAWALKAR

M. S. SONAK, J.

arp/*