

**IN THE HIGH COURT OF BOMBAY AT GOA****LD-VC-CW-93-2020**

Alex J. Fernandes ..... Petitioner  
Versus  
The Chief Secretary, State of Goa &  
Others ..... Respondents

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Mr. Rohit Bras De Sa, Advocate for the Petitioner.

Mr. Devidas Pangam, Advocate General with Mr. Sagar Dhargalkar, Additional Government Advocate for Respondent Nos. 1, 2, 4, 5, 7, 8, 9, 10 and 11.

Mr. Amogh Prabhudessai, Advocate for Respondent No. 3.

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

**Date:- 21<sup>st</sup> July, 2020**

P.C.

The learned Advocate General states that the officials from the Goa Coastal Zone Management Authority (GCZMA) did inspect the site where it is alleged that respondent no. 13 is undertaking some construction activity and found that such construction activity was in progress. The learned Advocate General also states that the officials have made report, which *prima facie* indicates that there is no permission secured by respondent no. 13 from the GCZMA, though, such permission is *prima facie* necessary.

2. Mr. Rohit Bras De Sa for the petitioner states that necessary steps have been taken to effect service on all the respondents, which would include Village Panchayat of Calangute and respondent no. 13. He states that Village Panchayat of Calangute has refused to accept private service.

3. Taking into consideration the statement made by the learned Advocate General and the report made by the officials of the GCZMA, we direct that pending further orders, the construction activity allegedly undertaken by respondent no. 13 must be stopped. We direct accordingly. The GCZMA as well as the Panchayat to ensure that no construction proceeds at the site until further orders in this Petition.

4. Mr. Amogh Prabhudessai appears for respondent no. 3-NGPDA, which is also a statutory authority. We direct the officials of the respondent no. 3 to also inspect the site and take appropriate action in accordance with law. The details of such progress to be indicated in the affidavit, which is to be filed on or before the next date. We tentatively post this matter to 31.07.2020. In any case, we grant liberty to the petitioner or for that matter the respondent no. 13 to apply.

5. The petitioner to take necessary steps for effecting service upon the unserved respondents including in particular respondent nos. 12 and 13. We make it clear that if, no expeditious steps are taken to effect service, we will have to consider whether, the interim order now made, is to be continued or not.

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

**M.S. JAWALKAR, J.**

**M.S. SONAK, J.**

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