

***IN THE HIGH COURT OF BOMBAY AT GOA***

**LD-VC-OCW-73-2020**

**In**

**LD-VC-CW-54-2020**

Goa Tourism Development Corporation .... **Petitioner**

*Versus*

Roshan Mathias and Ors. .... **Respondents.**

Mr. Shivan Desai, Advocate for the Applicant.

Mr. C. A. Ferreira and Mr. D. Zaveri, Advocates for the original  
Petitioners.

Mr. D. Pangam, Advocate General with Ms. Maria Correia,  
Additional Government Advocate for Respondent Nos.4, 7, 8, 10 &  
11.

Mr. R. Chodankar, Advocate for Respondent No.5.

Mr. B. Fatarpekar, Advocate for Respondent No.9.

Mr. A. D. Bhohe, Advocate for Respondent No.12.

**Coram : M. S. SONAK,  
SMT. M. S. JAWALKAR, JJ.**

**Date : 24<sup>th</sup> July, 2020**

P.C.:

We have heard the learned Counsel for some time on the

Civil Application taken out by the Goa Tourism Development Corporation seeking modification of our earlier orders.

2. Before we proceed to hear the matter any further, we would like the Chief Town Planner, who has made the order dated 14.07.2020 to file an affidavit and clarify the following aspects:

- a) Whether the circular dated 05.08.2011 referred to by the Chief Town Planner exempts any Government agency from obtaining permission under Section 17A of the Goa Town & Country Planning Development Act, 1974, if, such hill cutting is for the purposes of “development of parking lot?;
- b) Since, Survey No. 91 outside the entrance gate is reportedly zoned as “No Development Zone” in the regional plan and in the ODP which is presently in force, can, the Government or the planning authorities permit the development of a parking lot in this Survey number?

3. Since, the Goa Tourism Development Corporation points out that there is urgency in this matter, the Chief Town Planner is directed to file the affidavit at the earliest and in any case within a period of one week from today. The copies of such affidavits to be furnished to all the parties by email.

4. We grant the parties liberty to apply no sooner they receive such affidavit.

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

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

msr.