

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-138-2020**

M/s. Costa Construction

...Petitioner.

Versus

State of Goa And Anr.,

...Respondents.

Mr. Pankaj Vernekar, Advocate for the Petitioner.

Mr. Devidas J. Pangam, Advocate General with Mr. S. P. Munj,
Additional Government Advocate for the Respondent No.1.Mr. S. D. Padiyar with Mr. P. Shirodkar, Advocate for the
Respondent No.2.**Coram : M. S. SONAK &
M. S. JAWALKAR, JJ.****Date: 02nd September, 2020.**

P.C.:

Despite several opportunities, the Margao Municipal Council has not filed reply. Even today, a week's time is applied for, to file the reply. Mr. Vernekar, learned Counsel for the Petitioner points out that in the meantime, the Municipal Council wishes to proceed with its hearing on the complaint made by the Residents Association.

2. According to us, the Council, again on one hand, kept seeking time to file reply and on the other hand proceeded with such hearing, since the Petitioner has sought for stay on the holding of such hearings. Accordingly, we restrain the Council from holding any such hearings until further orders in this petition.

3. We direct the Petitioner to implead Aquem Ground Bachao Association through Andrew Sequeira as Respondent No.3 to this petition, no doubt, such impleadment will be without prejudice to the rights and contentions of the Petitioners that this Association has absolutely no right to object to the grant of permission to the Petitioners. The amendment to be carried out within two days and once the amendment is carried out, notice to issue to the newly impleaded Respondent No.3, returnable on 14.09.2020.

4. In addition to the usual mode of service the Petitioner is granted liberty to serve Respondent No.3 by private service.

5. The Margao Municipal Council, as also the newly impleaded Respondent, are given liberty to file their reply latest by 10th September, 2020 by service of advance copy upon the learned Counsel for the Petitioner. Rejoinder, if any, to be filed on or before the returnable date, again, by service of advance copies upon the Respondents.

6. Stand over to 14.09.2020.

M. S. JAWALKAR, J.

M. S. SONAK, J.

msr.