

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-340-2020**

Kashinath Shetye ... Petitioner

Versus

Raul Rodrigues and others ... Respondents

Mr. Nigel Da Costa Frias, Advocate for the Petitioner.

**Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.****Date :- 5th January,2021.****P.C.:**

Heard Mr. Nigel Da Costa Frias, learned Advocate for the petitioner.

2. The challenge in this petition is to the order dated 24/09/2020 made by the National Green Tribunal in Original Application No.54/2018 (WZ) and order dated 08/10/2020 passed by the GCZMA in complaint bearing No.GCZMA/ILLE-COMPL/1819/24/725. There is also a direction sought by the Director of Panchayats to carry out enquiry with regard to the report of the Extension Officer or BDO of Salcete dated 18/08/2015 by ordering a site inspection and enquiry through some other Officer if necessary.

3. According to us as against the order dated 24/09/2020 the petitioner has alternate remedies available under the provisions of the National Green Tribunal Act, 2010 itself and therefore, it will not be appropriate for us to exercise our extraordinary jurisdiction. Similarly, as against the order dated 08/10/2020, made by the GCZMA, again, the petitioner has alternate and efficacious remedy available under the provisions of the National Green Tribunal Act. Therefore, it will not be appropriate for us to exercise our extraordinary jurisdiction.

4. Insofar as all the directions to the Director of Panchayat or the BDO are concerned, we note that these are only incidental matters. The case of the petitioner is that the report of the BDO does not depict the correct factual position and therefore, yet another site inspection was necessary. All these are matters which can obviously be gone into the challenge to the order of GCZMA dated 08/10/2020 and if that be so, it will not be appropriate to entertain this petition.

5. Therefore, on the ground that the petitioner has alternate and efficacious remedies available to him, we decline to entertain this petition. However, we make it clear that we have not

examined the merits of the matter and therefore, all contentions of parties are left open for adjudication before the appropriate forum.

6. With the aforesaid observations and liberties we dispose of this petition.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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