

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-OCW NO. 104 OF 2020

IN

PIL WRIT PETITION NO. 32 OF 2019

Peter D'Souza in
Angelo Barreto & Ors.

..... Petitioners

V e r s u s

NGPDA & Ors.

..... Respondents

Ms. Norma Alvares and Ms. Anamika Gode, Advocates for the Petitioners.

Mr. Shivan Desai, Advocate for the Respondent no. 1.

Mr. Pankaj Vernekar and Mr. B. Fatarpekar, Advocates for the Respondent no.5.

Mr. A. D. Bhohe, Advocate for the Respondent no.6.

Mr. Nitin Sardesai, Senior Advocate with Mr. V. Amonkar, Advocate for the Respondent no.11.

Mr. Pavithran AV, Advocate for the Respondent no.13.

Mr. Vivek Rodrigues, Advocate for the Respondent no.14.

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

Date : 14th September, 2020

P.C.

1. Heard the learned Counsel for the parties.

2. Ms. Gode, the learned Counsel for the applicants, now submits that the replies filed by the respondents make it clear that there is no construction or developmental activity being undertaken on the property which is the subject matter of the present petition. As such, she does not wish to press this application any further.

3. Mr. Sardesai, the learned Senior Advocate for the respondent no.11, submits that his application was totally malafide when no construction had at all commenced on the property which is the subject matter of the petition. He submits that this application was nothing but attempt to seek interim relief in this matter though the issue of interim relief has already been decided in the earlier order.

4. Ms. Gode, the learned Counsel, pointed out that it is not as if the apprehension expressed by the petitioner was malafide or unjustified. She points out that the owner of the property which is the subject matter of this petition had himself issued a public notice that some activity was taking

place at the site. It is in the light of this public notice and by way of abundant caution, this application was taken up.

5. According to us, now that it is clear that there is no construction or development going on in the property which is the subject matter of this petition, there is no necessity to make any further orders in this application. In any case, this application is now not being pressed by Ms. Gode on behalf of the applicants.

6. The application is accordingly disposed off.

M. S. JAWALKAR

M. S. SONAK, J.

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