



Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**WRIT PETITION NO. 578 OF 2024**

Tukaram Shirodkar

... Petitioner

*V e r s u s*

1. The State of Goa, Thr. Its Chief Secretary & ... Respondents.  
7 Ors.

**Mr. Kapil D. Kerkar, Advocate** with Ms Prachi Sawant, Advocate  
for the Petitioner.

**Ms Susan Linhares, Addl. Govt. Advocate** for Respondents  
No.1, 3, 4, 5, 7 & 8.

**Mr P. A. Kamat, Advocate** for Respondent No.2.

**CORAM: DEVENDRA KUMAR UPADHYAYA,**  
**CJ & M. S. KARNIK J.**

**DATE: 26<sup>th</sup> September, 2024**

P.C.

1. Heard Mr. Kerkar, learned Counsel representing the petitioner, Ms. Linhares, learned Additional Government Advocate representing the respondent nos. 1, 3, 4, 5, 7 and 8 and Mr. Kamat, learned Counsel representing the respondent no.2.

2. As per the office report dated 23.08.2024, though respondent no.6 has sufficiently been served, no one has put in appearance on his behalf.

3. This petition seeks prayer for disposal of a complaint said to have been made by the petitioner dated 18.08.2023 whereby demolition of certain illegal structure said to have been raised by respondent no.6 in property bearing survey no. 119/1 of Village Siolim was sought.

4. Learned Counsel representing the respondent no.5 has brought before this Court the Minutes of the Meeting dated 20.08.2024 of the Goa Coastal Zone Management Authority (GCZMA), whereby it was decided that the structure in question in property bearing survey no. 119/1 has been in existence prior to the year 1991 and, accordingly, the proceedings initiated against the respondent no.6 were discharged and show cause notices were dropped.

5. However, it has been stated by the learned Counsel for the petitioner that respondent no.2 had also passed an order seeking demolition of the structure in question on the ground that the said structure has been raised on Government land without the requisite permission by the respondent no.6 who is said to have filed an appeal which is pending before the appellate authority.

6. Thus, having regard to the oval all facts of the case, as noticed above, we dispose of this Writ Petition finally with a direction to the

appellate authority to consider and decide the appeal. Appeal said to have been preferred by respondent no.6 against the order passed by respondent no.2 shall be decided with expedition say within a period of two months from the date a certified copy of this order is before the appellate authority.

7. Depending on the outcome of the appeal preferred by respondent no.6 against the order of demolition passed by the respondent no.2, further action which may be warranted under law shall also be ensured.

8. The Writ Petition stands disposed of in the aforesaid terms.

**M. S. KARNIK, J.**

**THE CHIEF JUSTICE, J.**