## BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE

## **Appeal No.7/2016**

In the matter of :-

Kashinath Jairam Shetye & Anr. Vs. Deepak Chandrakant Naik & Ors.

CORAM: HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER

Present: Applicant/Appellant : In person

Respondent No.2 : Mr. A.N.S. Nadkarni, Advocate General a/w

Mr. Dattaprasad Lawande, Govt. Advocate

Respondent Nos.3 to 7 : Mr. A.N.S. Nadkarni, Advocate General a/w

S.S. Rebello, Addl. Govt. Advocate

Date and Remarks	Orders of the Tribunal
Item No. 6	Mr. Kashinath Jairam Shetye is the Appellant. His Appeal has
18 <sup>th</sup> March, 2016 Order No. 2	gained access to this Tribunal under Section 18(1) read with Section
Order No. 2	16 of the National Green Tribunal Act, 2010 wherein he has sought
W II	direction to set aside the Order dated 15 <sup>th</sup> December, 2015 passed by
11/2	GCZMA and to direct demolition of Hotel Shaurya of Respondent No.1
	which is alleged to be in NDZ area. Several other incidental reliefs are
	sought in the Petition.
11 0	On Notice by this Tribunal to Respondents, learned Advocate
20 11/1	General Mr. A.N.S. Nadkarni appears for State of Goa which includes
	Respondent Nos.2 to 7. Learned Counsel Mr. Jitendra P. Supekar
21/	appears for Respondent No.1. It is submitted by learned Advocate
	General that the grievance of the Appellant is that he was not heard on
	the complaint filed by him by the Goa Coastal Zone Management
	Authority (GCZMA). He would fairly submit that the GCZMA will give
	him full opportunity to be heard and to support his stand. GCZMA will
	give him full opportunity and pass appropriate order.
	In view of the submissions of learned Advocate General, we are
	satisfied that this Appeal can be disposed of with following order:
	(1) In the circumstances, Appeal No.7/2016 is allowed.
	(0) 0. Leaves I. L. 007MA Leave La5th December 2045

- (2) Order passed by GCZMA dated 15<sup>th</sup> December, 2015 is quashed and set aside. The case stands remanded back to GCZMA to be heard *de novo* after giving full opportunity to the Appellant and the Respondents.
- (3) All the contentions of the parties are kept open to be urged.
  - (4) GCZMA is directed to consider the compliant of the

