

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

Application No.111/2017 (WZ)

In the matter of :-

**Goa Paryavaran Savarakshan Sangharsha Samitee Vrs. Liliput Bar & Restaurant
& Ors.**

**CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER,**

**Present: Applicant : Mr. S.M. Walavaikar, Adv.
Respondent No.1 : Mr. Shivshankar Swaminathan, Adv.
Respondent No.2 & 3 : Mrs. Fawia M. Mesquita, Adv.**

| Date and Remarks | Orders of the Tribunal |
|---|---|
| Item No. 4 29th November, 2017 Order No.5 | <p>Heard. Perused record.</p> <p>This Application has been moved for demolition of cottages/structures/building alleged to have been raised on land bearing Sy. No.72/567 and 8 of village Anjuna falling within 200 mtrs of HTL (No Development Zone) along the Anjuna beach, Bardez, Goa.</p> <p>The Applicant alleges that the Respondent No.1-Mr. Rajendra Salgaonkar, Proprietor of Liliput Bar and Restaurant, is the man behind the said illegal constructions.</p> <p>In response to the notice issued, the Respondent No.1 has filed his reply. No reply has been filed by Respondent Nos.2 and 3- Authorities.</p> <p>Respondent No.1 admits the existence of the said structures on the land as described by the Applicant in the Application. However, it is his case that the said structure/s have been in existence since prior to 1991 and Respondent No.1 has been conducting his business in the said property since 1986. He further reveals that no show cause notice issued in pursuance to the complaint dated 14th October 2016 lodged by the Applicant with the Respondent No.3-GCZMA, has been received by him. However, he submits his willingness to place his case before the Respondent No.3-GCZMA and seek resolution of the controversy in the present case in accordance with Law.</p> |

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Learned counsel appearing on behalf of Respondent No.3-GCZMA submits that the Applicant and Respondent No.1 may appear before the Respondent No.3 on the given date and time with all the relevant material supporting their respective cases and/or against the rival cases including response to the said complaint and participate in the enquiry to be conducted by the Respondent No.3-GCZMA in respect of the said structures. She further submits that Respondent No.3-GCZMA will be taking an appropriate decision on conclusion of the enquiry in accordance with Law within a given time frame.

Considering these facts and circumstances, we pass the following directions :

- 1) The Applicant Goa Paryavaran Savarakshan Sangharsh Samitee and Respondent No.1 Mr. Rajendra Salgonkar, Proprietor of Liliput Bar and Restaurant shall appear before GCZMA on 23rd January 2018 at about 3.00 p.m. and shall place before the Respondent No.3-GCZMA all such relevant material supporting their respective cases and/or against the rival cases including the response of Respondent No.1 to the complaint dated 14th October 2016 of the Applicant.
- 2) Respondent No.3-GCZMA shall upon such enquiry as it deems fit and after giving hearing to the Applicant and Respondent No.1 shall pass such order or directions in accordance with Law.
- 3) The Respondent No.1 waives service of Notice.

Application No.111/2017 stands disposed of.

....., **JM**
(Justice U.D. Salvi)

....., **EM**
(Dr. Nagin Nanda)