

Amrut



IN THE HIGH COURT OF BOMBAY AT GOA
PIL WRIT PETITION NO.39 OF 2018

KASHINATH JAIRAM SHETYE AND 8 ORS. ... Petitioners

Versus

THE STATE OF GOA, THR.

THE CHIEF SECRETARY AND 9 ORS.

Respondents

Petitioner present in person.

Mr Deep Shirodkar, Additional Government Advocate for Respondent
Nos. 1, 2, 4, 5, 6, 7, 8 and 9.

CORAM: M. S. KARNIK &
VALMIKI MENEZES, JJ

DATED : 3rd JULY 2024

P.C.:

1. This petition concerns seven Survey numbers i.e. 36 and 37 of village Mercês (belonging to Comunidade of Morombi-o-pequeno and Morombi-o-grande), Survey Nos 129, 130 and 131 of Village Mercês and Survey Nos.76 and 91 of village Mercês (Comunidade of Murda). Leave to implead Comunidade of Morombi-o-grande, Comunidade of Morombi-o-pequeno and Comunidade of Murda as party Respondents.

2. The Petitioner alleges large-scale filling of these khazan lands. It is further alleged that large-scale degradation of mangroves within these survey numbers is ongoing, despite complaints having

been made to the Department of Forest, Collector of North Goa, Goa Coastal Zone Management Authority and the Village Panchayat of Mercedes, no proper action has been taken by these authorities for this environment degradation.

3. We grant leave to the Petitioner to add Comunidade of Morombi-o-grande, Comunidade of Morombi-o-pequeno, Comunidade of Murda and Department of Forest as party Respondents.

4. Issue notice to the newly added Respondents, returnable on 16.07.2024.

5. Mr Deep Shirodkar waives service for newly added Respondent – Department of Forest. He further submits that he requires time to take instructions on the action taken by the Respondents in this matter. He submits that he would file a report stating the action taken by the aforementioned department by the next date.

6. Considering the subject matter of this petition, we deem it appropriate to seek the assistance of an Amicus Curiae. Accordingly, we request Mr Nigel Da Costa Frias to act as an Amicus Curiae and assist this Court in this petition.

7. Mr Nigel Da Costa Frias will be assisted by his colleague Mr Shane Coutinho.

VALMIKI MENEZES, J

M. S. KARNIK, J