



vinita

IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION WP NO.1025 OF 2025 (F)

ADITYA DATTU RAUT DESSAI

... PETITIONER

Versus

THE STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 8 ORS

... RESPONDENTS

Ms Laxmi Sawant and Mr Shane Coutinho, Advocates for the
Petitioner.

Ms. Sapna Mordekar, Additional Government Advocate for
Respondents No.1, 3, 4 and 7.

Mr Gaurish Agni, Advocate through VC with Mr Yash Naik,
Advocate for Respondent No.6.

Ms. Karishma Gauns Dessai, Advocate for Respondent No. 9.

**CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.**

DATED :- 25th March, 2026

P.C.

The present Public Interest Litigation concerns alleged destruction and damage to the surroundings of the Chandreshwar Bhoothnath Temple, which is declared as a State-protected Monument under Section 2 of the Goa Ancient Monuments and Archaeological Sites and Remains Act, 1978.

2. From the pleadings, it appears that Respondent No. 6, Goa Tourism Development Corporation (GTDC), had submitted a proposal dated 20.09.2018 to the Directorate of Archives and

Archaeology, Government of Goa, under whose care the site is placed, seeking permission for beautification works in and around the temple premises. Pursuant thereto, the Directorate, by communication dated 27.09.2018, granted a No Objection Certificate (NOC) for construction of a retaining wall of approximately 300 metres in length, a platform for a viewpoint, a toilet block, and beautification works in the surroundings of the temple.

3. However, it is alleged, and prima facie borne out from the averments in the petition and the photographs placed on record, that while undertaking the said works, extensive damage has been caused to the temple surroundings, including areas not forming part of the sanctioned work. Ms Mordekar, Learned Addl. Govt. Advocate appearing for the Directorate of Archives and Archaeology, now laments that the damage caused would have to be restored and that the Directorate is in the process of approaching GTDC in that regard.

4. At this stage, it is necessary to examine the proposal submitted by GTDC to the Directorate of Archives and Archaeology, particularly in view of the fact that GTDC is a registered company and not a statutory corporation.

5. Accordingly, the Managing Director of GTDC is directed to file an affidavit placing on record the complete proposal submitted to the Directorate of Archives and Archaeology for beautification of the temple premises, along with all plans and annexures thereto. The GTDC shall also place on record a copy of the work order issued in respect of the said project, the specifications thereof, and the details of

expenditure incurred and proposed to be incurred.

6. The Directorate of Archives and Archaeology (Respondent No. 8) is also directed to file an affidavit explaining the decision-making process and the mechanism adopted in granting the NOC to GTDC for undertaking such works at a protected monument. The Directorate shall further place on record an estimate of the cost required to restore the site to its original condition. Prima facie, we are of the opinion that such cost shall be borne by Respondent No. 8.

7. The Managing Director of GTDC shall ensure that the contractor engaged for execution of the said works (Respondent No. 9) is duly served and represented before this Court on the next date of hearing.

8. List the matter on 07.04.2026.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.