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**IN THE HIGH COURT OF BOMBAY AT GOA**  
**MISC. CIVIL APPLICATION NO.1467 OF 2026 (F)**  
**IN**  
**PUBLIC INTEREST LITIGATION WRIT PETITION NO.17 OF**  
**2024**

M/S BENZ AMUSEMENT  
PARKS PVT. LTD. THR. ITS  
DIRECTOR

... APPLICANT

Versus

THE STATE OF GOA THR.  
THE CHIEF SECRETARY  
AND 51 ORS.

... RESPONDENTS

Mr. Ankur Kumar, Advocate for the Applicant.

Ms. Maria Simone Correia, Advocate holding for Mr. Deep Shirodkar,  
Advocate for the Respondents.

**CORAM:- ASHISH S. CHAVAN, J.**  
**(VACATION BENCH)**

**DATED :- 20th May, 2026**

**P.C.:**

1. By way of the present application which is filed in the accompanying PILWP No.17/2024, the Applicant herein who claims to be a sub lessee of the Respondent No.34 in PILWP No.17/2024, has sought permission to temporarily de-seal the premises for the limited purpose of maintenance and preservation of the fish in the aquarium within the premises.

2. The aforesaid PILWP No.17/2024 which is pending before this

Court pertains to issues concerning alleged illegal constructions. This Court upon taking cognizance of these issues raised therein has been pleased to pass directions from time to time to the various authorities including the Village Panchayat of Arpora.

3. Inviting my attention to an order of this Court passed in the aforesaid PILWP No.17/2024 on 28.04.2026, the Petitioner submits that the Secretary of the Village Panchayat, Arpora is directed vide order to ensure that certain structures which are sealed pursuant to the directions of this Court on earlier occasions, shall remain sealed until the Director of Panchayat decides the Appeals in respect of demolition orders passed in relation to these 21 structures.

4. The Applicant states that the Respondent No.34 in the PILWP No.17/2024 is the owner of one of these structures and the Applicant is his sub lessee.

5. It is the case of the Applicant that he is running a fish aquarium at the site which is now sealed by the Village Panchayat of Arpora. He has pleaded in his application that the premises house approximately 84 aquariums accommodating more than 10,000 live fish. The sealing of the premises has completely prevented the Applicant and its staff from accessing the aquariums and exhibits. The aquatic life housed in the premises requires constant care including feeding, oxygenation, filtration, monitoring of water quality, and temperature regulation etc. In the absence of such essential maintenance, there is an imminent and grave risk of large-scale mortality of the aquatic species.

6. Inviting my attention to the order of this Court dated

29.04.2026, the learned Counsel for the Petitioner submitted that vide the aforesaid order the Respondent No.34 in the aforementioned PILWP No.17/2024 was granted relief by this Court to the extent of de-sealing the premises for a certain period of time to enable him to maintain the aquarium of fish in the premises. He would submit that the order dated 29.04.2026 pertains to the same premises and the same aquarium and would urge that on humanitarian grounds that the Applicant may be granted similar reliefs.

7. Perused the orders dated 28.04.2026 and 29.04.2026 of this Court.

8. By way of the order dated 29.04.2026, this Court had permitted the de-sealing of the premises for four hours on certain occasions subject to the payment of an amount of Rs.20,000/- (Rupees Twenty Thousand Only) by the Applicant therein to the Panchayat towards the cost of sealing and de-sealing of the premises.

9. In view of this, interest of justice would be served if the Applicant herein is granted relief of a similar nature.

10. The Secretary, Village Panchayat of Arpora is directed to de-seal the premises referred to in the Petition from 11.00 a.m. to 5.00 p.m. on 23.05.2026 after which the seal shall be applied to these premises once again on 24.05.2026 between 11.00 a.m. to 5.00 p.m.

11. The Secretary, Village Panchayat of Arpora is also directed to de-seal the premises referred to in the Petition from 11.00 a.m. to 5.00 p.m. on 30.05.2026 after which the seal shall be applied to these premises and once again on 31.05.2026 between 11.00 a.m. to 5.00

p.m.

12. The Secretary, Village Panchayat of Arpora is further directed to de-seal the premises referred to in the Petition from 11.00 a.m. to 5.00 p.m. on 06.06.2026 after which the seal shall be applied to these premises and once again on 07.06.2026 between 11.00 a.m. to 5.00 p.m.

13. The Applicant shall deposit an amount of Rs.30,000/- (Rupees Thirty Thousand Only) with the Panchayat to pay the cost of sealing and de-sealing of the premises on or before 22.05.2026 and further amounts of Rs.30,000/- (Rupees Thirty Thousand Only) on or before 29.05.2026 and 05.06.2026 respectively.

14. On behalf of the learned Counsel for the Petitioner it is submitted that he wishes to place reliance on certain Certificates demonstrating the fragile nature of the fishes in the aquarium.

15. The Petitioner is at liberty to file the Certificates by way of compilation with an advance copy to the learned Counsel for the Respondent.

16. List the matter for compliance on 08.06.2026.

17. In the meanwhile, office objections, if any, be cleared.

**ASHISH S. CHAVAN, J.**