



Esha

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1765 OF 2024 (F)

PRAMOD BANDEKAR AND 8 ORS. ... PETITIONERS

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS. ... RESPONDENTS

WRIT PETITION NO. 1766 OF 2024 (F)

BABULAL NADAF AND 2 ORS. ... PETITIONERS

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS. ... RESPONDENTS

WRIT PETITION NO. 1767 OF 2024 (F)

BHALACHANDRA KHADAPKAR
AND ANR. ... PETITIONERS

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS. ... RESPONDENTS

WRIT PETITION NO. 1768 OF 2024 (F)

SHAMBHU AMONKAR AND 5
ORS. ... PETITIONERS

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 4 ORS. ... RESPONDENTS

Mr. S.D. Lotlikar, Senior Advocate with Ms. Sailee R. Kenny, Advocate for the Petitioners in all the Petitions.

Ms. Akshata Bhat, Additional Government Advocate for Respondent Nos. 1 and 3 in Writ Petition No. 1765 of 2024 (F).

Mr. Suhas Parab, Additional Government Advocate for Respondent Nos. 1 and 3 in Writ Petition No. 1766 of 2024 (F).

Ms. Sulekha Kamat, Additional Government Advocate for Respondent Nos. 1 and 3 in Writ Petition No. 1767 of 2024 (F).

Mr. Geetesh Shetye, Additional Government Advocate for Respondent Nos. 1 and 3 in Writ Petition No. 1768 of 2024 (F).

CORAM: BHARAT P. DESHPANDE, J.

DATED: 25th JULY 2024

P.C.

1. Heard Mr. Lotlikar, the learned Senior Counsel along with Ms. Kenny for the Petitioners and the learned Additional Government Advocates appearing for Respondent Nos. 1 and 3.

2. The challenge in the present Petition is against the rejection of the Appeal filed by the Petitioners before the Board. Mr. Lotlikar submits that even though survey by the Naval Authority is not final and the report from the Civil Aviation Ministry is awaited, it was expected that the Board should have waited for such report. He submits that the Petitioners in Writ Petition No. 1766 of 2024 (F) have already partly demolished the part of the

structure, which was coming within the funnel zone and it is brought down to the permissible height. He submits that even a NOC is obtained, however, it is for the Navy Authority to verify and report.

3. The learned Additional Government Advocates appearing for Respondent Nos. 1 and 3 seek time to take necessary instructions.

4. Copy of reply to be furnished to the Petitioners in advance.

5. Issue notice to Respondent Nos. 2, 4 and 5, returnable on 07.08.2024.

6. Ms. Kenny undertakes to serve the learned Deputy Solicitor General of India/Central Government Standing Counsel with regard to Respondent Nos. 4 and 5.

7. Till the returnable date, no coercive action should be taken against the structures of the Petitioners.

BHARAT P. DESHPANDE, J.