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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.2007 OF 2025 (F)

MENINO VAZ AND ANR

... PETITIONERS

Versus

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

... RESPONDENTS

Mr. D. Lawade with Mr. Chirag Angle, Advocates for the Petitioners.

Ms Sapna Mordekar, Additional Government Advocate for
Respondents No.1, 3 and 5.

CORAM:- VALMIKI MENEZES, J.

DATED :- 17th December, 2025

P.C.:

Heard learned Counsel the parties.

2. The challenge raised in this petition is to order dated 15.04.2025 passed by National Green Tribunal (NGT) West Zone in Execution Proceeding bearing No. 4/2018/(West Zone). By the impugned order, the NGT, as submitted by the Petitioner, in addition to the costs imposed in the original order on the Petitioners along with 4 other Respondents in the matter, he has also imposed further costs which were not due to be paid by the Petitioners under this original order.

3. It is the contention of the Petitioners that during the Execution

Proceedings, the GCZMA (Goa Coastal Zone Management Authority) / Respondent No. 3 filed proceeding in which they added two more survey holdings which were not covered under the original order under execution, and in which the Petitioner and other 4 original Respondents had no rights. It was further contended that based upon a Bio Diversity Board Report, the restoration cost, which was assessed by the Board at Rs. 33,37,900/-, was directed to be borne proportionately, by the original Six Respondents (two of which are the Petitioners herein) and the holders of the two additional Survey Nos; the learned Counsel for the Petitioners contends that in effect the Six original Respondents (including the two Petitioners) have now been saddled with bearing the additional restoration cost of two newly added Survey holdings, with which they have no connection.

4. It is this order that is challenged to the extent that has saddened the Petitioner with an additional payments to be made for which the Petitioners claim they are not responsible.

5. A preliminary objection was raised as to the maintainability of the petition, since there is otherwise an Appeal provided under the Green Tribunal Act. Leaving the objections open, considering that the objections of the Petitioners were not taken into account by the order of the NGT, it appear that the Petitioners imposed with additional costs which they may not be liable to pay. The petition is entertained for the limited purpose of securing the stay of the impugned order, to

the extent that it saddles the Petitioner with additional costs.

6. However, since the Bio Diversity Board by its report dated 16.05.2019, had calculated, at the relevant time, the costs to be borne by 6 original Respondents, in the amount of Rs. 15,44,250/- out of which an amount of Rs. 8,00,000/- is already deposited with the NGT Western Zone, the Petitioner shall deposit the balance amount of Rs. 7,44,250/- in this Court, in order to secure the amount directed in the original Execution Proceedings.

7. On deposit of the aforesaid amount within a period of two weeks from today, the operation of the impugned order dated 15.04.2025 shall stand stayed until the next date of hearing.

8. The learned Advocate for GCZMA submits that the Bio Diversity Board has submitted its second report on 17.01.2024 in which the enhanced costs for carrying out the restoration of the sand dunes in question has been calculated. It is contended by the Petitioners that the calculation submitted by the Bio Diversity Board includes not only 6 Survey Nos. which relates to the Petitioners, but also covers two other Survey Nos. If this be so, the GCZMA shall place on record the correct calculation, according to the report, which the Petitioners would have to deposit in relation to the 6 survey holdings covered by the Execution Proceedings. This calculation shall be placed on record by 15.01.2026. This order shall operate as an ad-interim relief to the

Petitioner until 15.01.2026, when the fresh calculations will be considered and need for modifying this order may also be considered, based upon the calculations placed on record.

9. List this matter on 19.01.2026.

VALMIKI MENEZES, J.