

Item No.35

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**APPEAL NO. 572/2025 (WZ)  
I.A. No. 706/2025 (WZ)**

Hanumant Uttam Govekar

.....Appellant

***Versus***

GCZMA & Anr.

....Respondents

**Date of hearing: 13.03.2026**

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER**

Appellant : Mr. Deepak Gaonkar, Advocate

Respondents : Ms. Supriya Dangare, Advocate for R-1/GCZMA

**ORDER**

1. We are passing this order in continuation to the earlier orders dated 26.09.2025, 06.02.2026 and 12.03.2026.

2. This appeal has been filed seeking quashing of the order dated 09.07.2025 passed by Respondent No.1- GCZMA directing demolition of one RCC Structure, located in the property bearing Survey No.132/13 of Anjuna Village, Bardez, Goa within one month from the date of receipt of the order.

3. Learned counsel for the appellant has drawn our attention to page no.117 of the paper book, which is a Certificate dated 08.07.2010 issued by the Village Panchayat of Anjuan- Caisua, Bardez, Goa, wherein it is recorded that as per the Demand and Collection Register of House Tax and Light Tax, the house bearing No.654(1) stands in the name of Shri

Manumant U. Govekar (appellant herein), which is from the year 1990-91 situated at St. Anthony Prias Waddo, Anjuna, Bardez, Goa and that the tax is paid in the same name till date. It is also recorded in this Certificate that as per the Show-Cause Notice issued by the Village Panchayat dated 29.09.2008 and as per the reply given by the party dated 15.01.2009, the said house is situated in Sy. No.132/13 at Anjuna, Bardez, Goa. This certificate/document is annexed by the appellant within his additional reply to the said Show Cause Notice, which was submitted to the GCZMA on 08.05.2024 for consideration.

4. In view of above, it is urged by learned counsel for the appellant that above certificate/document was not considered by Respondent No.1-GCZMA while passing the impugned order of demolition. Apart from that, it is further stated that the satellite imagery Report of Sy. No.132/13 of Anjuna Goa, which was obtained by the appellant on 07.06.2024 from the Director, RSI Soft-tech India Pvt. Ltd., which is annexed at page nos.123 to 125 of the paper book, makes it clear that in Survey No.132/13 of Anjuna, the two structures, which are marked with green rectangular lines, are shown to exist prior to the year 1991. Based on this, it is urged by him that this is the same structure, which has been ordered to be demolished by Respondent No.1- GCZMA despite this structure being in existence prior to the year 1991. This document was also produced by the appellant before the GCZMA with his additional reply to the Show Cause Notice on 27.05.2024, but the same was not considered.

5. Thereafter, learned counsel for the appellant has drawn our attention to the letter dated 30.05.2024 written by the appellant addressed to the Member Secretary, Goa Coastal Zone Management Authority (GCZMA), wherein a request was made to provide an opportunity of hearing so that he

could have brought further documents on record. But the same was not allowed.

6. When we enquired from learned counsel for the appellant as to how he is alleging that above documents were not considered by the GCZMA, he read out the impugned order, which is narrated herein below:-

*“AND WHEREAS, the said matter was taken up in the 373rd GCZMA Meeting held on 24/11/2023. The Authority heard the parties and after perusing the documents decided that, "The Respondent has produced various electricity bill right from the year 1987 however the house number is not mentioned on the electricity bill.*

*Receipt of supply of cold drinks in the year 1988 does not prove legality of the structure.*

*NOC for electricity connection to Shack issued by the Village Panchayat of Anjuna in the name of Hanumant Govekar this document cannot be relied upon as it does not pertain to the RCC structure. Moreover, there is no house number mentioned on the NOC. Hence this document does not support the case of the Respondent to prove the legality.*

*The Respondent has also paid professional tax from the year 1986 till 1988 but it does not make any mention of the structure.*

*The Respondent has produced house tax receipt of the year 1990-91 for house no 654(1) issued by the Village Panchayat of Anjuna does not state whether this house falls in the property bearing Sy. No.132/13 of Anjuna Village.*

*The Primary Health Centre has issued NOC for running the restaurant in St Anthony's Praias, Anjuna Bardez Goa. It is vague as to which structure /house no this permission is issued. There is no clarity to prove it the permission is issued to the structure in dispute. Moreover there were SCN issued in the past one by Panaji Planning and Development Authority for constructing bathroom and toilet on the beach. The Respondent has failed to*

*produce on record if the SCN issued by Panaji Planning and Development Authority has attained finality or not*

*The Authority after perusing the above document is satisfied that the Respondent is conducting the business but the main point in issue is the legality of the RCC structure constructed in the NDZ whether it has valid approvals from any authority for the purpose of erecting the structure in the NDZ. The Respondent has failed to prove that the structure was standing prior to 1991. Hence orders for demolition of the RCC structure standing in Sy No.132/13 of Anjuna Village.”*

7. Having gone through the above order, it is urged by learned counsel for the appellant that nowhere mention is made in the impugned order of the above documents having been considered. We assume and find that the above documents were not considered by the GCZMA while passing the impugned order, which appear to be relevant for arriving on a right conclusion. Therefore, we deem it appropriate to set aside the impugned order and direct Respondent No.1- GCZMA to provide an opportunity of hearing to the appellant again and decide this matter afresh within a period of one month from the date of uploading of this order

**Dinesh Kumar Singh, JM**

**Dr. Sujit Kumar Bajpayee, EM**

March 13, 2026  
APPEAL NO. 572/2025 (WZ)  
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P.Kr.