



BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE

Appeal No. 32/2025 (WZB)

JOSEPH ROSA

.. APPELLANT

Versus

GCZMA & ors.

.. RESPONDENTS

AFFIDAVIT - IN - REPLY ON BEHALF OF THE
RESPONDENT NO. 3

I, SYLVESTER D'SOUZA, S/o Mr. Simon D'Souza, Aged 61 years, married, Indian National, R/o H. No. 2225, Sauntawaddo, Calangute, Bardez - Goa. 403 516 do hereby on solemn affirmation state and submit as under -

1. At the outset, I deny all the allegations and/or claims and/or averments and/or contents of the present Appeal in so far as the same are inconsistent with my case and/or inconsistent with what is stated by me hereinafter. Any allegation(s) and/or claim(s) and/or averment(s) and/or content(s) of the present Appeal, that is/are not specifically denied and/or dealt with hereinafter, ought not to be construed as admitted for want of specific denials.

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2. I say that I, the Respondent No. 3, have filed an Appeal laying challenge to the Directions dated 17-02-2025 under Ref. No. GCZMA/N/ILLE-COMPL/23-24/02/3848 issued by the GCZMA under Section 5 of the Environment (Protection) Act, 1986 r/w the Rules of the Environment (Protection) Rules, 1986 to the extent that these directions DISCHARGE the Show Cause Notices bearing Nos. GCZMA/N/ILLE-COMPL/23-24/02/3729 dated 09-02-2024 & GCZMA/N/ILLE-COMPL/23-24/02/1416 dated 30-07-2024 with regards to the structures identified as A, T1, G1, J1(Part), Z(Part), F, F1, in Survey No. 241/1; A, B, C in Survey No. 242/1-A A, C, D, E in Survey No. 242/1-C of Village Calangute (and hereinafter referred to as "my Appeal"). I say that my Appeal is presently under Dy. No. 2704137002412025 (with office objections cleared and awaiting registration at the present moment) and is tagged alongwith the present Appeal for hearing by Order dated 08-04-2025 in the present Appeal. I say that I seek to rely upon and refer to the contents of my Appel for all purposes during the hearing of the present Appeal, especially the annexures that are not being attached herewith on account of the bulk of paper and duplication of proceedings.



CASE OF THE RESPONDENT NO. 3

3. I say that the Appellant challenges the Impugned Order in so far as it orders the demolition of Structures identified as M₁, B, H₁, K₁ and F₁, and although the Appellant states that the said 5 structures are located in Survey Nos. 242/1-A, the same is incorrect as the all these 5 structures are located in Survey No. 242/1 as per all the GCZMA Notices and records, which has not been disputed by the Appellant.

4. I say that the 5 structures forming subject of the present Appeal are as under -

Sy No	SCN	Structures	Description
242/1	9-2-24	M ₁	Permanent Generator room with beam slab and column
		B	Permanent Structure with sloping Mangalore Tile consisting of 2 rooms with verandah
		H ₁	Permanent Structure with sloping Mangalore Tile
		K ₁	Permanent Structure with sloping Mangalore Tile
		F ₁	Pump House with RCC slab

5. I say that the said structures are depicted on the site inspection plan drawn by the GCZMA at pg 126 of the present Appeal paperbook, as also the Show Cause Notice dated 9-2-24 and other records as being in Survey No. 242/1.

6. I say that there is not a single permission on record in respect of the subject 5 structures and it is not even the Appellants case



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that he has even a SINGLE permission for the 5 subject structures. I say that in the conspectus, if the Tribunal embarks upon an inquiry whether the 5 subject structures were existing before 19-02-1991, then the following facts are necessary.

7. I say that the Appellant is heavily relying upon the Plan dated 22-08-2016 issued by the DSLR to state that the structures have been in existence before 1991. I say that the said Plan dated 22-08-2016 nowhere states that the said 5 structures existed before 1991. I say that said Plan dt. 22-08-2016 infact depicts, how within a period of a few months the Appellant erected illegal structures in Sy. No. 242/1. This is evident from the previous plans that I am now bringing on record which are officially issued by the DSLR dated 31-01-2007, 06-08-2015, 12-01-2016. I say that I also seek to rely upon the RSI plan showing existing as on 19-2-1991 and the subject 5 structure are nowhere seen. Annexed hereto as **ANNEXURE R3-1 Colly** are the DSLR Plans dated 31-01-2007, 06-08-2015, 12-01-2016 and the Computer Generated RSI Plan from the GCZMA website.
8. I say that a perusal of all these plans coupled with the GCZMA site inspection Report dt. 24-11-2023 shows that the 5 subject structures never existed in the years 2007, 2015 and even in early 2016. All this only shows the pernicious spree of erecting illegal structures in CRZ area over the years. I say that it is rather a sad state of affairs as seen from the plans that the Appellant and his siblings have indulged in illegal constructions over the years and the GCZMA has turned a blind eye to this.

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9. I say that in his Replies dated 04-03-2024 and 08-08-2024 filed before the GCZMA, this Appellant's case is that he is running commercial business of 16 rooms and that he has permission issued by the Village Panchayat of Calangute dated **28-06-1978**, which permission was taken by his Uncle Mario Pires and transferred to him. I say that the said Permission is annexed to this Appeal at page 252. I say it is clear from this Village Panchayat of Calangute Permission dated **28-06-1978** that the same was only **for construction of a house/2 cottages and septic tank in Survey No. 242/1 of dimensions 7.90 x 9.90**. His second plea taken was that his Uncle had taken permission from the Municipal Camara de Bardez Certificate No. 55. I say that the said Municipal Camara de Bardez approval is in respect of some *Umtavaddo* property and not the subject property which is *Sauntawaddo*. I say that based on these two false pleas, the GCZMA has discharged the Show Cause Notice in respect of structures A & T1 in Survey No. 242/1. I say that various other structures have been discharged by the GCZMA based on a Plan of 1982 which is fraudulent. I say that all this is subject matter my Appeal. I say that the Appellant has been coming with unclean hands before every Forum.

10. I say that the between the Appellant and his sisters, Nalini and Lalan, the three of them have been inundating the Survey Nos. 242/1, 242/1-A & 242/1-C with unabated illegal construction and using these illegal constructions to run commercial business, which is again a prohibited activity in that the said Survey No. is a CRZ Zone, major portion being in NDZ. I say that I am



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concisely stating the modus operandi of the Appellant alongwith his sisters below, given which, they deserve no indulgence from this Hon'ble Tribunal.

11. That the local Village Panchayat of Calangute had issued various demolition Orders from time to time of illegal structures in Survey No. 242/1. That Vide the Demolition Order dated 28-01-2010 and Order No. 2535 dated 15-10-2012, the Village Panchayat of Calangute directed demolition of **G+2 Building and swimming pool** in Survey No. 242/1. The said Order for demolition was assailed right upto the Apex Court. The Hon'ble High Court of Bombay at Goa in WP No. 749/2014 by Order dated 26-02-2018 and the Hon'ble Supreme Court in SLP No. 12032-35/2018 vide Order dt. 10-08-2018 were pleased to uphold the demolition Order of the Panchayat.

12. That further Review was sought of Order dt. 10-08-2018 before the Hon'ble Supreme Court. The ground was that they suddenly came across an approval for Repairs and Reconstruction of Existing Structures of the year 1990 of the Town & Country Planning Department (TCP). In the Review Petition bearing No. 400-403/2018 in SLP No. 12032-35/2018, the Respondents relied upon the following **alleged** documents

- Letter dated 07-05-1990 from the Chief Minister under Ref No. CM/pet/8/90;
- Approval No. DB/4820/TCP-90/202 dated 02-02-1990 from the Chief Town Planner for proposed repairs and renovation of buildings "A" & "B" in Survey No. 242/1-C




(hereinafter referred to as the Alleged 1990 TCP Approval)

13. The Hon'ble Supreme Court however rejected these alleged documents of the year 1990 and dismissed the Reviews Applications vide Order dated 19-01-2019 and upheld the demolition of Structure A, Swimming Pool and the 2nd floor of structure B.
14. It is pertinent to note that while the proceedings before the Hon'ble High Court and Supreme Court were pending, applications for regularization of the structures which were in challenge before the HC & SC, viz., Building A and B in Survey No. 242/1-C were made before the GCZMA in 2003 and thereafter on 23-03-2018. The GCZMA was pleased to reject the regularization request vide letter dated 29-06-2018.
15. Thereafter, the Respondents made further application for regularization of structures, viz., Building A and B in Survey No. 242/1-C before the MoEF on 12-06-2018. And the MoEF was pleased to reject the Application for regularization of the structures admeasuring 1932.75 square meters vide Letter dated 05-09-2018,
16. That pursuant to the Hon'ble Supreme Court's Order and rejection of Regularization Applications, it is seen as per the Report of the Two Members of GCZMA dt. 26-02-2022 (infra) that the Respondents demolished the Structure A, swimming pool and 2nd floor of the structure B. Thus the illegal structure

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B in respect of which regularization was sought is still not demolished.

17. That one person by name Mr. Wenceslau D'Souza had filed the PIL Writ Petition No. 04/2020 before the Hon'ble High Court of Bombay at Goa against the CRZ violations undertaken by the Respondents in Survey No. 242/1. In the said PIL WP 04/2020, the Hon'ble HC had vide Order dated 22-01-2020 asked the GCZMA to inspect the property. The Report of two Members of the GCZMA dated 26-02-2020 was submitted to the Hon'ble High Court. It is seen that the Petitioner Mr. Wenceslau D'Souza did not pursue the PIL Writ Petition No. 04/2020 and the Hon'ble High Court was pleased to dispose the PIL Writ Petition No. 04/2020 vide Order dated 24-09-2021. The very fact that the said Wenceslau abandoned the High Court proceedings shows that there was collusion between the Appellant and his sisters and Wenceslau. Therefore even before the GCZMA and now in this Appeal it is repeatedly being stated that the illegal structures were subject matter of PIL WP 04/2020 and there should be no inquiry in the matter of the illegalities. I say that the Appellant cannot take advantage of his won collusion.
18. I further say that even the Report of the Two Members of the GCZMA dated 26-02-2020 which was submitted to the Hon'ble High Court shows that the same has observations which are only prima facie and based on some documents shown to the Two members on the site. I say that there was never any



opportunity to the Two Members to scrutinize any of the documentation or hear objections on, as it is clear from what has been stated above, that except for the 1978 Panchayat Permission, all the other alleged documents are either inapplicable or forged.

19. I say that in any case the subject 5 structures have already been ordered to be demolished for being in contravention with the local laws, vide the ORDER OF DEMOLITION UNDER SECTION 66 Sub Section (4) of Goa Panchayat Raj Act, 1994 dt. 22/12/2011 issued by the Village Panchayat of Calangute. I say that the non execution of the said Demolition Order by the Village Panchayat is challenged by me before the Hon'ble High Court in Writ Petition No. 664/2024.

I am annexing herewith the necessary documents in respect of the ORDER OF DEMOLITION UNDER SECTION 66 Sub Section (4) of Goa Panchayat Raj Act, 1994 dt. 22/12/2011 and Writ Petition No. 664/2024 as ANNEXURE R3-2 Colly

PARAWISE COMMENTS

20. The contents of paragraphs 1 and 2 of the Appeal merit no reply.
21. With reference to the contents of paragraph 3 of the Appeal, it is denied that the said structures or the structures M1, B, H1, K1, F1 are in existence from prior to 1991.




22. With reference to the contents of paragraph 4, it is denied that there are the requisite permissions and/or any permissions from the statutory authorities in respect of The structures that are subject matter of the present Appeal.
23. With reference to the contents of paragraph 5, it is denied that the complaint made by the Respondent No. 3 suffers from any requirements. The contents of paragraph 5 are denied.
24. With reference to the contents of paragraph 6, it is denied that the said complaint which eventually lead to the culmination of the impugned order, is an abuse of process of the law. It is denied that the subject structures have at any time been subject to the scrutiny of the Honourable High Court of Bombay at Goa whether in PIL WP No. 04/2020 or in any other matter. In any case it is a matter of record that in PIL WP No. 04/2020 there was a Report filed by the inspection team or the expert members of the GCZMA, however the said report does not constitute findings and cannot be any ground for justification of the subject structures or to save the structure from demolition.
25. With reference to the contents of paragraph 7 & 8, the contents thereof merit no response and are a matter of record. I say that it is



a curious case as to why the Petitioner chose not to pursue PIL WP No. 04/2020 and/or why he had to approach the Hon'ble NGT.

26. The contents of paragraph 9 to 12 merit no response.

27. With reference to the contents of paragraph 13, it is vehemently denied that the subject structures or the said structures are clearly or otherwise shown in any survey plans prior to 1991. The Appellant is put to strict proof as to such claim.

28. With reference to the contents of paragraph 14 and 15, it is submitted that while it is denied that I have any malafide intention in filing the complaint, it is well settled that the Honorable NGT or the GCZMA exercising powers under the CRZ Regulation and/or the Environment Protection Act, do not look into any motives alleged and are obligated by law to look into the legality or the illegality of the structures.

29. With reference to the contents of paragraph 16, the contents thereof are denied. Infact the GCZMA has discharged many structures by way of the impugned order and the same a subject matter of my Appeal.



30. The contents of paragraph 17 and 18 are completely denied. The contents of paragraph 19 to 23 are in the nature of procedural paragraphs and merit no response.

31. I say the contents of paragraphs 1 to 29 are true to my own knowledge and from records available with me; except the legal submissions which I believe to be true based on advice of my Advocate.

32. I say that the annexures are true copies of their respective originals.

33. I say that whatever is stated hereinabove is true to my own knowledge and belief.

Solemnly affirmed this 22nd day of April 2025 at ^{Mapusa} ~~Paraji~~ - Goa.

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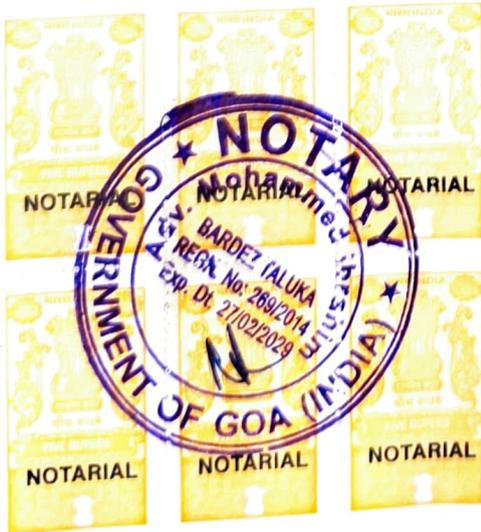
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Deponent
(~~Aedhan~~ 7511 47433114)

**Solemnly affirmed
Before me**

Mohammed Ibrahim

Adv. Mohammed Ibrahim
Notary Bardez (Taluka).
State of Goa, India. 22 APR 2025
Regn. No. *2105* Date





GOVERNMENT OF GOA
Directorate of Settlement and Land Records
PANAJI - GOA

Plan showing plots situated at
Calangute Village
Bardez Taluka
S.No./Sub Div.No. 241/ 1,2,3,4,5,7 , 242/ 1,2,3,4,5,6,7,11 & 243/ 4,10,13 & 14
Scale 1:1000



Computer Generated on : 31-01-2007

Checked by: [Signature]
31/1/07

No.19/DSLRL/Resurvey Cell/CRZ-Sea/115/15/ 2562
Government of Goa,
Directorate of Settlement &
Land Records, Panaji-Goa.

Date: 06/08/2015.

To,

Shri Sylvester D'Souza,
Sunset Cottages, Baga,
Calangute, Bardez-Goa.

Sub: Delineation of CRZ line in property bearing Survey
No. 242/1 situated at Calangute village of Bardez Taluka.

Sir,

With reference to your application dated 04/08/2015 in connection with the above cited subject matter, it is informed that the property bearing S.No. 242/1 situated at Calangute village of Bardez Taluka is partly falling within 200 mts. from High Tide Line and partly in the zone of 200mts. to 500mts. from High Tide Line extracted from certified CRZ map of Calangute village of Bardez Taluka. The portion of the property situated on the Westward side of 200 mts. line is falling within 200 mts. from High Tide Line and the remaining portion of the property situated on the Eastward of 200 mts. line is falling in the zone of 200mts. to 500mts. from High Tide Line.

Copy of plan showing aforesaid land holding and location of 200 mts. line is annexed to this letter.

Yours faithfully

(Ajit Talaulikar)

Supdt. of Survey & Land Records
Panaji – Goa

Encl: As above.

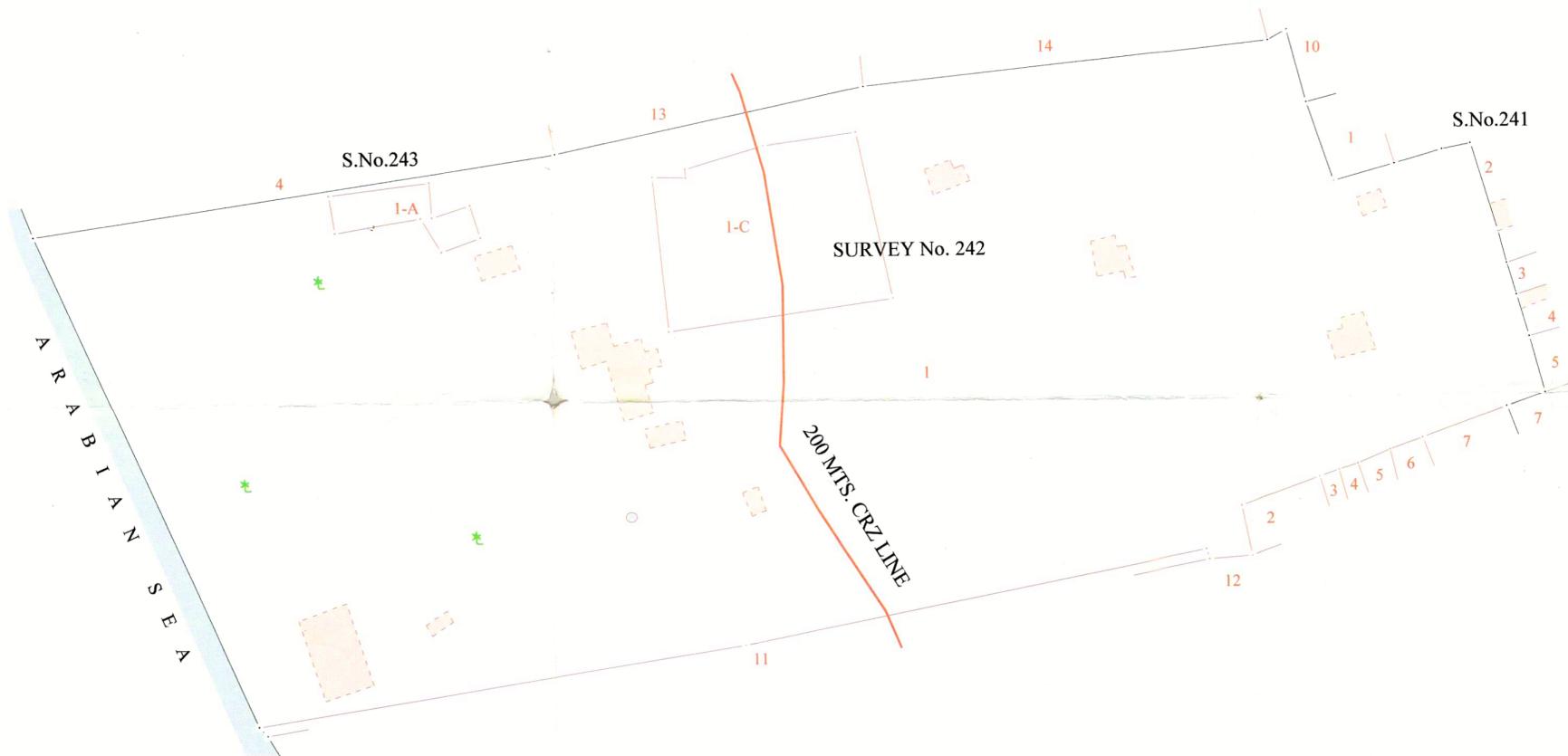


GOVERNMENT OF GOA
Directorate of Settlement and Land Records
PANAJI-GOA

Plan showing plots situated at
Calangute Village
BARDEZ Taluka
S.No./ Sub Div. No.242 / 1
And location of 200mts. line measured from High Tide Line extracted
from certified CRZ map of Village Calangute of Bardez Taluka.
Scale 1:1000



M. V. V.
Superintendent of Survey
Land Records, Panaji
पञ्जी ब्यारे म् सु अफिस निराम
पञ्जी



Note :-
This plan shall be read
in conjunction with the
letter No.19/DSL/Resurvey cell/CRZ-sea/115/15/ 2562
dtd. 06/08/2015.

S. Salgaonkar
Prepared by :- Suvarna Salgaonkar (F.S.)

Computer Generated On :- 06-08-2015

A. S. Dhale
Compared by :- Arunkumar S. Dhale (H.S.)

File No.19/DSL/Resurvey cell/CRZ-sea/115/15

No. 19/DSLRL/Resurvey Cell/CRZ-Sea/185/15/256
Government of Goa,
Directorate of Settlement &
Land Records, Panaji-Goa.

Date: 12/01/2016.

To,
Mr. Silvester Dsouza,
Sunset Cottages,
Saunta Vaddo, Baga,
Bardez-Goa.

Sub: Delineation of CRZ line in property bearing Survey
No. 242/1, 1-A, 1-B & 1-C situated at Calangute village of
Bardez Taluka.

Sir,

With reference to your application dated 06/11/2015 in connection with the above cited subject matter, it is informed that the property bearing Survey No. 242/1, 1-A, 1-B & 1-C situated at Calangute village of Bardez Taluka is partly falling within 200 mts. from High Tide Line and partly in the zone of 200mts to 500mts from High Tide Line extracted from certified CRZ map of Calangute village of Bardez Taluka. The portion of the property situated on the Westward side of 200 mts. line is falling within 200 mts. from High Tide Line and the remaining portion of the property situated on the Eastward side of 200 mts. line is falling in the zone of 200mts to 500mts from High Tide Line.

Copy of plan showing aforesaid land holdings and location of 200 mts. line is annexed to this letter.

Yours faithfully,



(Parag Nagarcenkar)
Supdt. of Survey & Land Records
Panaji – Goa.

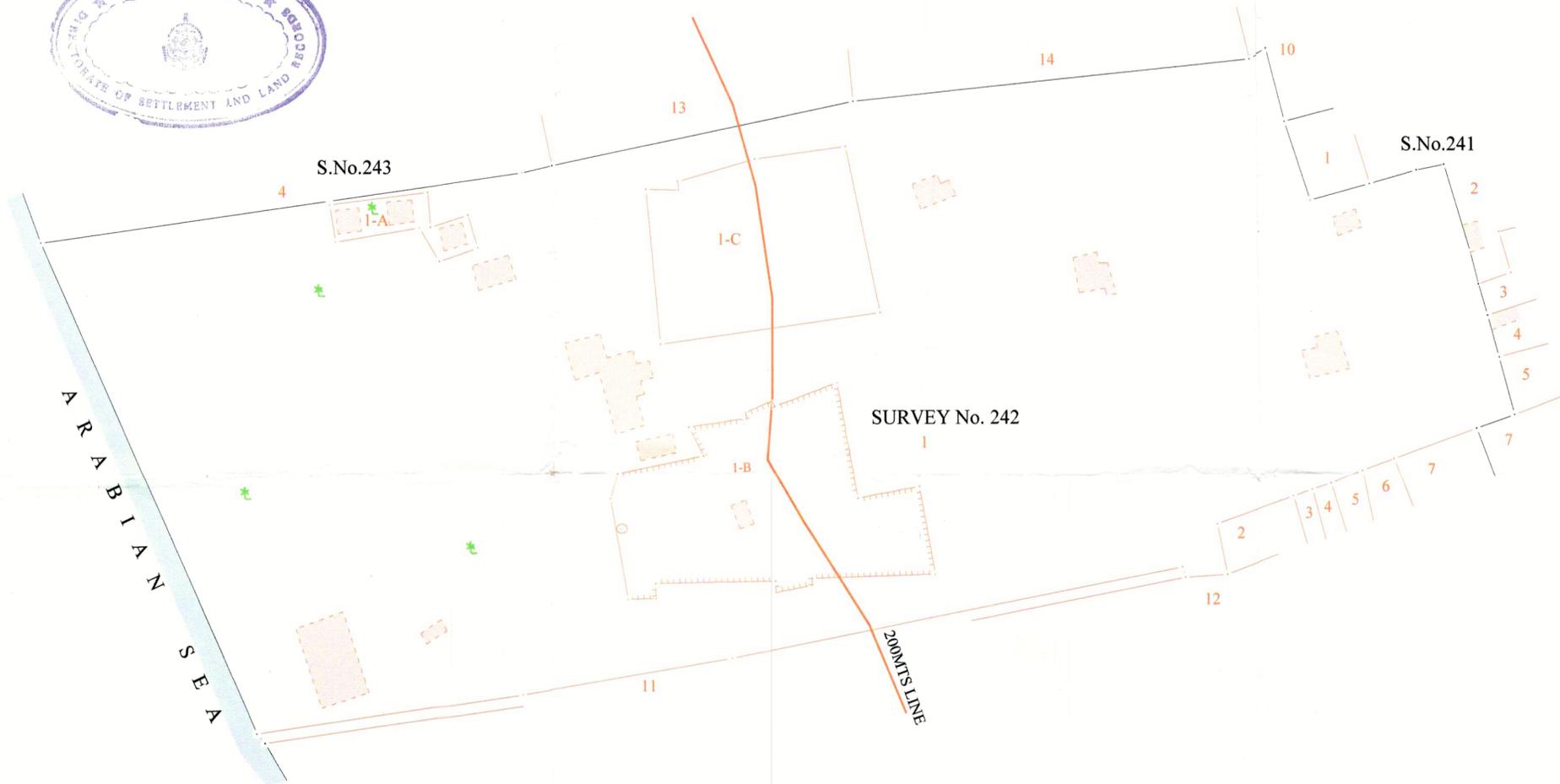
Encl: As above.



GOVERNMENT OF GOA
Directorate of Settlement and Land Records
PANAJI- GOA

Plan showing plot situated at
Calangute Village
Bardez Taluka
S.No./Sub Div No. 242 / 1, 1-A, 1-B, & 1-C
and location of 200mts. line measured from High Tide Line
extracted from certified CRZ map of village Calangute of Bardez Taluka.

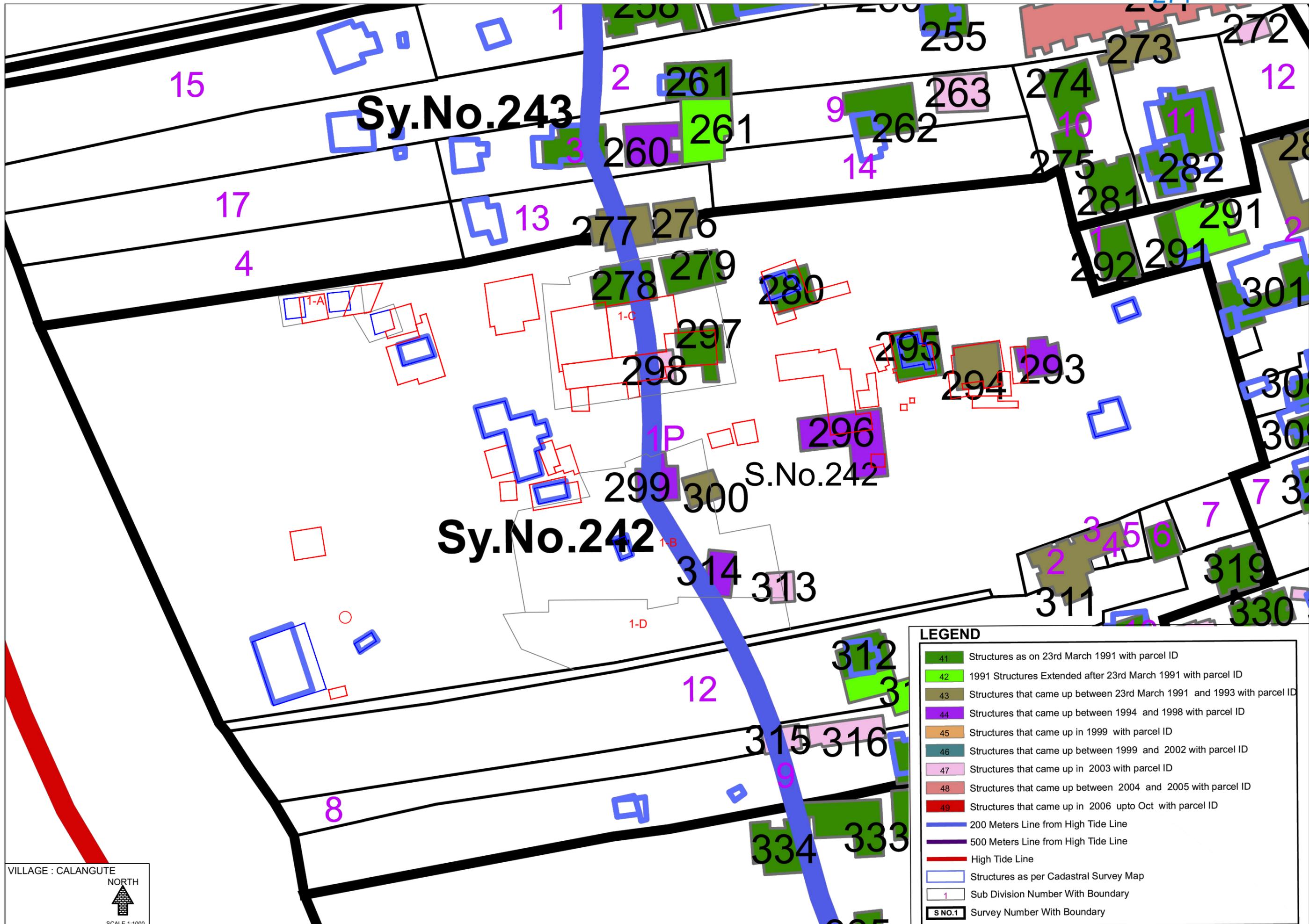
Scale 1:1000



Note :-
This plan shall be read
in conjunction with the
letter No.19/DSLRL/Resurvey Cell/CRZ-sea/185/15/256
dtd. 12/01/2016

Prepared by :- Vidhya Shengali (F.S.) @mugali
Computer Generated On 12-01-2016

Compared by :- Arunkumar S Dhale (H.S.)



VILLAGE : CALANGUTE
 NORTH
 SCALE 1:1000

LEGEND	
41	Structures as on 23rd March 1991 with parcel ID
42	1991 Structures Extended after 23rd March 1991 with parcel ID
43	Structures that came up between 23rd March 1991 and 1993 with parcel ID
44	Structures that came up between 1994 and 1998 with parcel ID
45	Structures that came up in 1999 with parcel ID
46	Structures that came up between 1999 and 2002 with parcel ID
47	Structures that came up in 2003 with parcel ID
48	Structures that came up between 2004 and 2005 with parcel ID
49	Structures that came up in 2006 upto Oct with parcel ID
(Blue line)	200 Meters Line from High Tide Line
(Purple line)	500 Meters Line from High Tide Line
(Red line)	High Tide Line
(Blue outline)	Structures as per Cadastral Survey Map
(1)	Sub Division Number With Boundary
(SNO.1)	Survey Number With Boundary

OFFICE OF THE VILLAGE PANCHAYAT
CALANGUTE
Bardez - Goa 403516

V.P./Cal/F-20/11-12/ 7006

Dated:22/12/2011

ORDER OF DEMOLITION UNDER SECTION 66 Sub Section/ of GPRA

Whereas the your reply to the show cause notice No. V.P/CAL/F-20/11-12/2447 dated 02/08/2011 was Placed in the meeting of the Panchayat held on 20/12/2011 for the Panchayat body to take proper decision and Panchayat body on perusing your reply have come to the conclusion that reply filed by you is not satisfactory as you failed to produce any document such as approved plan ,Construction License, issued by this Panchayat and have resolved to demolish the illegal structure, walls, Kitchen, Solar water tanks in sy no242/1

In view of the above you are hereby directed to remove/demolish the said above mentioned within period of 7days on receipt of this demclition order. Failing to comply with the above direction, the Panchayat will thereafter demolish the said structure at any time on expiry of said period of 7 days which may be taken note of.

Given under my hand and office seal on 22 day of December 2011




(Subodh V. Prabhu)
V.P. Secretary
Calangute

To.
Mr Joseph S. Rosa
R/O Saunta Vaddo
Calangute-Bardez
Goa

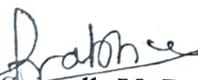
*Litigation Pending At High Court
Against same structures*

INSPECTION REPORT

The Site Inspection of site in Sy. No 242/1 at Sauntavaddo Calangute is carried out by Secretary Mr. Subodh V. Prabhu vide inspection notice no. VP/Cal/F-20/11-12/984 dated 16/07/2011. The said inspection was carried out on 20/07/2011 at 10:30am onwards in the presence of police as there was a fear of law and order problem.

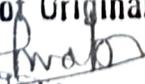
During site inspection it is noticed that Smt. Lajan Jacques and Mr. Joseph Rosa have constructed various structures in gross violation of C.R.Z notification of 1991. It is also noted that Sand Dunes have been cut for carrying out the illegal constructions. The Sand Dunes which is cut is around 20 mts. The detailed measurements is recorded on the rough sketch which is attached with the Panchanama. It is also noted that 4 nos of wells have been constructed within this 200 mts of the high tide lines solar system heaters have been erected. This is fixed on the R.C.C slab. Septic tank have also been constructed on the area which belongs to Capt. of Ports and close to the beach. The inspection concluded at 12:30pm.

Recorded by


 Shri Subodh V. Prabhu
 Secretary
 V.P. Calangute



Certified True Copy
 of Original


 SECRETARY
 VILLAGE PANCHAYAT CALANGUTE



Today at 10:30 am/pm on 20/7/2011, we the undersigned members of this Panchanama namely (1) Shri. Damodar Khorbe, Aged 27 profession Service resident of Santavaddo (2) Shri. Michael Sorey Aged 42 profession resident of Condomin were called by Shri./Smt. Subodh. V. Parabhu Sarpanch/Dy. Sarpanch to witness the illegal construction carried out by Shri./Smt. Alan Jacques & Joseph S. Rosain Ward no. VII of Calangute Village and we have witnessed the following.

The details of the illegal construction are as under:

1. Nature of the Construction Pucca
2. Whether New construction/ Re-construction or Extension to existing house New
3. Area Occupied by structure/ Dimension (length, breadth and Height- approximate) Ref to rough sketch
which is annexed herewith
4. Location/Sy. No./Ward 242/1
5. Material Used Latente stone, cement, mangrove
roff, solar, etc.
6. Nature of Roof Pattern Mangrove roof, R.C.C. slab.
7. Approximate estimated cost Of construction Fifty lakh.

Being asked by the _____ Shri./Smt. _____ owner/occupier of the house, stated that he/she does not possess any valid permission issued by the Panchayat to erect the said structure nor the formalities prescribed under the building regulation and CRZ in force have been complied with. owners did not remain present for site inspection

This Panchanama is written by Shri./Smt. Subodh V. Parabhu at the site in our presence today, at 12:30 PM hours. The contents of this Panchanama have been read over and explained to us in Konkani and in correctness thereof we sign as witness.

Place: Calangute

Date: 20/7/11

- 1) Damodar
- 2) Michael

Before me
Parabhu
Designation

Certified True Copy
of Original



A 1

ARABIAN SEA

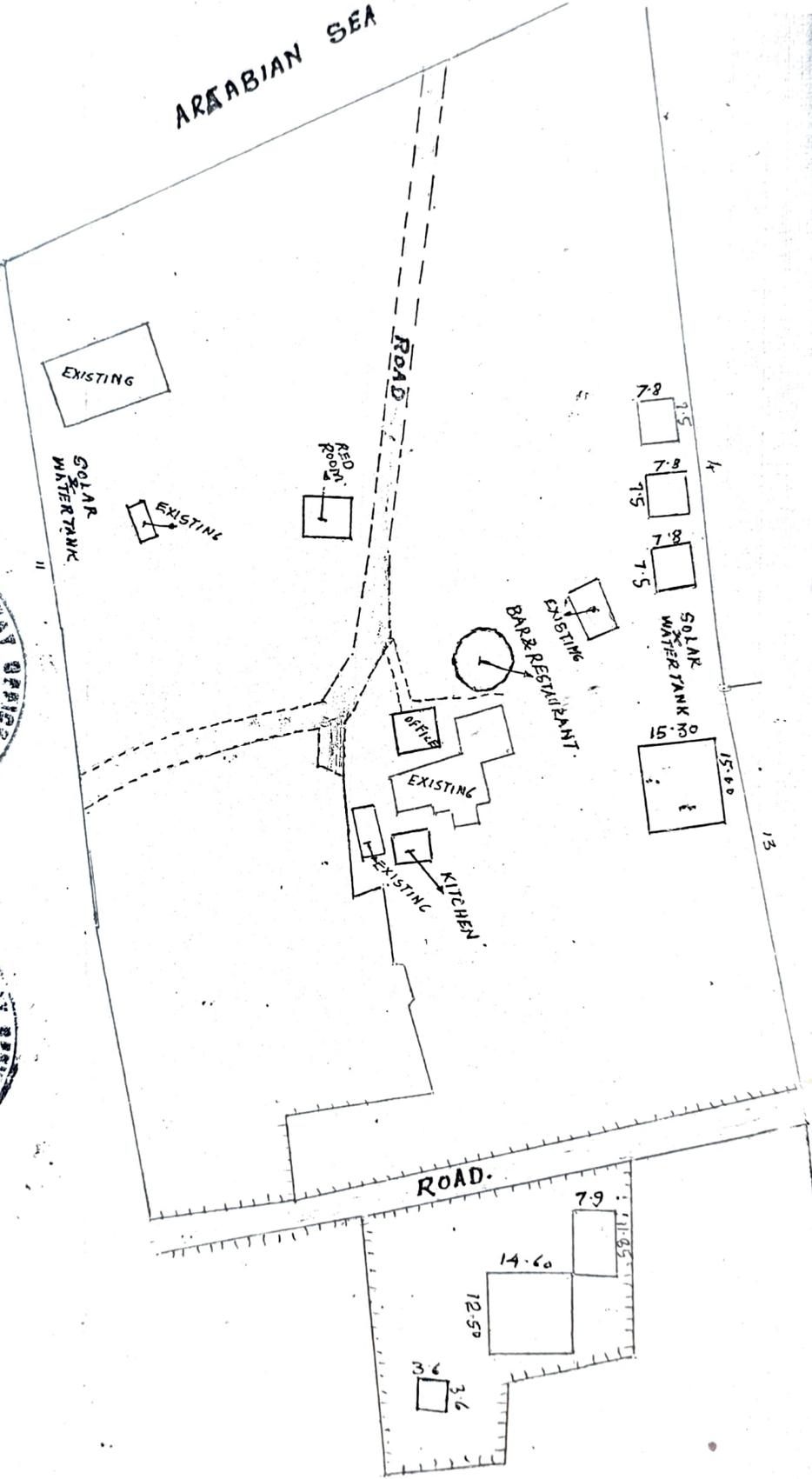
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of Original

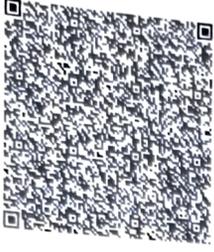
VILLAGE PANCHAYAT CALANGUTE

SECRETARY
[Signature]



PREPARED BY:-
[Signature]
V.P. Secretary
Calangute





Amrut

WP 664 of 2024

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.664 OF 2024

SYLVESTER D SOUZA

... PETITIONER

Versus

STATE OF GOA, THR. CHIEF
SECRETARY AND 2 ORS

... RESPONDENTS

Mr Dharmanand Vernekar, Advocate for the Petitioner.

Ms Sapna Mordekar, Additional Government Advocate for
Respondent No.1.

Mr P. A. Kamat, Advocate for respondent No.2.

Mr J. A. Lobo, Advocate for Respondent No.3.

**CORAM:- BHARATI H. DANGRE &
NIVEDITA P. MEHTA, JJ.**

DATED :- 25th March, 2025

P.C.:

1. The limited grievance of the petitioner is the inaction on the part of the Village Panchayat of Calangute to implement the order of demolition issued under Section 66 Sub Section (4) of the Goa Panchayat Raj Act, 1994 dated 22.12.2011. According to him, under the guise of pendency of appeal, the order is not given effect to.

2. The learned counsel for respondent No.3 as well as the learned counsel for the Village Panchayat to take necessary

WP 664 of 2024

instructions.

3. List on 21.04.2025.

NIVEDITA P. MEHTA, J.

BHARATI H. DANGRE, J.



278

Ph.:2276016

**OFFICE OF THE VILLAGE PANCHAYAT
CALANGUTE
Bardez - Goa 403516**

VP/Cal/F-20/25-26/ 053

Dated: 03/04/25

To,
Mr. Joseph S. Rosa
Sea View Cottages (Papilio Beach Front Cottages)
Near Titos Mambos Club, Saunta Vaddo
Calangute, Bardez-Goa.

SITE INSPECTION

Sir,

As per the directions from the Hon'ble High Court of Bombay by order dated 25/03/2025 in Writ Petition No. 664/2024 to verify whether steps are taken to demolish illegal construction in Survey No. 242/1 of Village Calangute as ordered under demolition order dated 22/12/2011.

In this regard, a site inspection will be held on 08/04/25 at 10:30 a.m. onwards. You are requested to remain present at the site for site inspection on the given date and time, failing which the site will be inspected in your absence.

Thanking you,
Yours Faithfully,

(Shri. Arjun S. Velip)
Secretary
V.P. Calangute



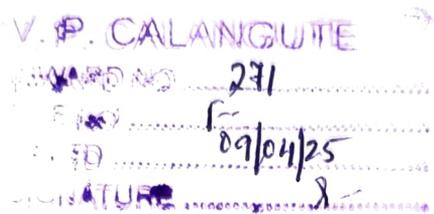
Cc to: 1) Sylvester D'Souza
Saunta Vaddo
Calangute, Bardez-Goa.

you are kindly requested to remain present in this office in order to proceed for the site inspection on the above given date and time.

2) The Ward Member
Saunta Vaddo
Calangute, Bardez-Goa.

you are kindly requested to remain present in this office in order to proceed for the site inspection on the above given date and time.

From: Sylvester D'souza
Saunta Vaddo, Calangute,
Bardez – Goa
Pincode : 403516



Date : 09/04/25

To,
The Secretary/Sarpanch
Village Panchayat Of Calangute

Sub: Application Under RTI Act 2005

Sir,

Kindly provide me a certified copy of the detailed site inspection report & plan/sketch, of the site inspection carried out by your authority on 08/04/25 through the V.P. secretary, in Survey No. bearing 242/1 of Calangute, Saunta Vaddo, as per the directions issued from the Hon'ble High Court Of Bombay At Goa by order dated 25/03/2025.

Thanking You

Yours Faithfully

Sylvester D'souza

Date - 08/04/2025

Site Inspection Report

As Reference to Site inspection Notice dated 03/04/2025
 Bearing No VP/call/E-20/28-28/053 the panchayat site.
 Inspecting officials visited the site. The Respondent Mr.
 Joseph S. Rosa and Complainant Sylvester D'Souza is
 present in person. After inspecting site it is understood
 that structure's shown on scales are still Existing on
 site. No any structure found demolished on site..

The site inspection report written by VP secretary
 Ajay Gour Velip and read out in the presence of
 Both the party.

Certified True Copy
 of Original



SECRETARY
 VILLAGE PANCHAYAT CALANGUTE

SECRETARY
 VILLAGE PANCHAYAT CALANGUTE