

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

**M.A.No.24/2014(WZ)
APPLICATION NO.3 /2014 (WZ)**

Aleixo Arnolfo Pereira Vs. State of Goa & Ors.

**CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

**Present: Applicant : In person
Respondent No.1 : Mrs. F.M.Mesquita Adv
Respondent No. 5 : Shivam Desai Adv
Intervener
KHR Hospitality : Mrs Supriya Dangare Adv**

Date and Remarks	Orders of the Tribunal
Item No.4 March 5, 2014 Order No.5	<p>Mr. Aleixo Pereira has filed main Application No.3/2014 in which intervention application has been filed by M/s KHR Hospitality for intervention.</p> <p>So far as the intervention is concerned, the stand of applicant is that he has applied for issuance of licence for shack and the same is under consideration of the GCZMA.</p> <p>The intervener has narrated various stages of other litigation and contended that main application is ill-motivated.</p> <p>We have received copy of the minutes of the Meeting of Respondent No.3, which indicates that now Respondent No.3 has decided to issue temporary licence in favour of M/s KHR Hospitality for the shack as prayed for.</p> <p>The contention of the applicant- Aleixo Pereira is that such shack cannot be permitted for the NDZ area and particularly when there exists a sand dune. From the record, it prima facie appears that the GCZMA has not carried out mapping and survey of sand dunes in the State of Goa as required, under the CRZ Notification and therefore, classification for the purpose of exemption is rather made flexible as per convenience from case to case basis. Be that may as it is, we deem it proper to direct the parties to maintain status quo and not to allow the proposed intervener to operate temporary shack though paper licence is issued as per the minutes of the Meeting, until further orders passed by the Tribunal to allow such activity.</p> <p>We permit the intervention Application and direct the intervener to file reply affidavit to the main Application.</p> <p>Considering the urgency and the fact that we have passed an interim order,</p> <p style="text-align: center;">Stand over to 3rd April, 2014.</p> <p style="text-align: right;">....., JM (Justice V. R. Kingaonkar)</p> <p style="text-align: right;">....., EM (Dr.Ajay A. Deshpande)</p>