

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4294/2022

LAVU NAMDEV TORASKAR

Appellant(s)

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY &amp; ORS.

Respondent(s)

(IA No. 80722/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENTIA No. 80724/2022 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 11-12-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Appellant(s)

Mr. Prashant Sivarajan, Adv.  
Mr. Tushar Saigal, Adv.  
Ms. Meenakshi S., Adv.  
Mr. D.Kumanan, AOR

For Respondent(s)

Mr. Surjendu Sankar Das, AOR  
Mr. Anand Murthi Rao, Adv.Mr. Salvador Santosh Rebello, AOR  
Mr. Raghav Sharma, Adv.  
Ms. Shivangi Singhal, Adv.  
Mr. Ankit Kumar, Adv.  
Mr. Deepanshu Raj, Adv.UPON hearing the counsel the Court made the following  
O R D E R

The learned counsel appearing for the appellant states that the appellant wants to press the application seeking permission to withdraw the appeal.

We have perused the earlier orders passed by this Court from time to time.

The appellant has given an undertaking to remove the subject structure in case the application for regularization is rejected. The last undertaking which is accepted by the Court is of 18<sup>th</sup> August, 2023. The application for regularization has been rejected now by the order dated 15<sup>th</sup> September, 2023.

The intention of filing the application for withdrawal is obvious that the appellant wants to back out from the undertaking given to this Court. There is something more disturbing. A copy of the letter dated 31<sup>st</sup> October, 2023 addressed by the appellant to the Hon'ble President of India is annexed to the application. Shockingly, the appellant has not disclosed in the said letter, the orders passed by this Court from time to time in the present appeal and the fact that the appellant has given an unconditional undertaking to the Court. He has made a grievance that this Court is likely to dismiss the present appeal. Not only that such an application was made to the Hon'ble President of India, but newspaper publicity appears to have been given at the instance of the appellant to the Office Memorandum issued by the Government of India on the basis of the letter addressed by the appellant to the Hon'ble President of India.

Prima facie, we are of the view that this is a fit case to initiate proceedings against the appellant for civil and criminal contempt.

We, therefore, issue notice to the appellant calling upon him to personally remain present in this Court on 8<sup>th</sup> January, 2024.

The Registry to serve a copy of this order upon the appellant.

It will be open for the first respondent to address a letter to the office of the Hon'ble President of India and all other authorities to whom the Memorandum issued on the basis of the complaint made by the appellant to the Hon'ble President of India inviting the attention of the said offices to the orders passed by this Court from time to time and the unconditional undertaking given by the appellant.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER