

IN THE ENVIRONMENT AND LAND USE APPEAL TRIBUNAL

ELAT 2336/26

In the matter of:

Prathima Beeharry

Appellant

v/s

District Council of Pamplemousses

Respondent

IPO

- 1. Shailesh Panchoo**
- 2. Priya Devi Panchoo born Ramjutton**

Co-respondents

RULING

1. The Notice of Appeal and Statement of Case in this matter, received by courier at the Registry of the Tribunal, pertain to an objection against the decision of the District Council of Pamplemousses for having granted a Building and Land Use Permit for a neighbouring development.
2. In the case of **Baumann v/s District Council of Riviere de Rempart IPO Syndicats des Co-Proprietaires de Savannah Sparrow Residence and Ors [2019] SCJ 311**, the Supreme Court considered the meaning of “person aggrieved” under **section 117(14) of the Local Government Act 2011**. Their Lordships held that the Tribunal had no jurisdiction “*to consider and determine complaints from persons who are not “aggrieved persons” within the definition of the Local Government Act 2011.*”

3. Applying this authority, the Tribunal finds that it cannot entertain an appeal brought by an objector who is aggrieved by the Council's decision to grant a Building and Land Use Permit to another party, as such a party does not meet the definition of "aggrieved person" as per the interpretation of the Supreme Court. The Tribunal accordingly has no jurisdiction to hear the present case and it is accordingly dismissed.

Ruling delivered on 13th July 2026 by

Mrs. J. RAMFUL JHOWRY

Ag. Chairperson

Ms. F. MONTY

Member

Mr. S. BEEHUSPOTEEA

Member