

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 343 OF 2015**

1. M/s Nasrin Traders,
through its proprietor
Mr. Anwar Khan,
major of age, Plot No.6,
Menezesbhat, Sao Jose de Areal,
Salcete Goa.
 2. Mr. Anwar Khan,
Proprietor, Nasrin Traders,
major of age, Plot No.6,
Menezesbhat, Sao Jose de Areal,
Salcete Goa.
 3. Shivkumar Ben,
major of age, Plot No.31,
Menezesbhat, Sao Jose de Areal,
Salcete Goa.
- Petitioners

V e r s u s

1. The State of Goa,
through the Chief Secretary,
having his office at Secretariat,
Porvorim, Bardez Goa
2. The Collector,
South Goa District,
Government of Goa,
Mathany Saldanha Building,
Margao, Salcete Goa.
3. The Deputy Collector & Sub
Divisional Magistrate, Margao,
Government of Goa,
Mathany Saldanha Building,
Margao, Salcete Goa.
4. The Mamlatdar, Salcete,
Government of Goa,
Mathany Saldanha Building,
Margao, Salcete Goa.

5. Goa Pollution Control Board,
through its Member Secretary,
having his office at Patto,
Panaji Goa.

... Respondents

Mr. R. Menezes, Advocate for the petitioners.

Mr. D. Lawande, Government Advocate for the respondent nos. 1 to 4.

Mr. D. Lawande, Advocate for respondent no.5.

**Coram:- F. M. REIS &
K. L. WADANE, JJ**

Date :- 29th April, 2015

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. R. Menezes, learned counsel appearing for the petitioners and Mr. D. Lawande, learned Government Advocate appearing for the respondents.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. Mr. D. Lawande, learned Government Advocate waives service on behalf of the respondents.

4. The main grievance of the petitioners in the above Writ Petition is against the action contemplated against the petitioners based on communication dated 11.02.2015 of respondent no.5 and order dated 30.03.2015 passed by the respondent no.3.

5. Mr. D. Lawande, learned counsel appearing for the respondent no.5 upon instructions of the concerned official has made a statement that the respondent no.5 shall withdraw the said communication dated 11.02.2015 against the petitioners herein and proceed to issue a show cause notice and after hearing the petitioners pass appropriate orders in accordance with law with regard to the subject matter in dispute.

6. Mr. D. Lawande, learned Government Advocate appearing for the respondent nos. 1 to 4 also makes a statement that as the action taken by the respondent no.3 was based on the communication dated 11.02.2015 and in view of the said statement of the learned counsel appearing for the respondent no.5, such action no longer survives as far as the petitioners are concerned, the sealing carried out on the basis of the order passed by the respondent no.3 shall be unsealed by 4th May, 2015.

7. In view of the said statement of the learned counsel appearing for the respondent no.5, which is accepted, we find that the apprehension of the petitioners that they may be prevented from carrying out business activities would no longer survive. Accepting the said statement on behalf of the respondent nos. 1 to 4 and 5, we dispose of the above Writ Petition. Rule stands

disposed of accordingly.

K. L. WADANE, J

F. M. REIS, J

at*