

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 365 OF 2015

The Village Panchayat of Sernabatim
Vanelim, Colva & Gandaulim,
through its Secretary, Mr. Dinesh N. Gaonkar,
having office at Colva,
Salcete Goa.

... Petitioner

V e r s u s

The Goa State Pollution Control Board,
Through its Member Secretary
having office at
1st Floor, Dempo Towers,
EDC Patto Plaza, Panaji, Goa.

... Respondent

Mr. C. A. Ferreira, Advocate for the Petitioner.

Mr. J. Godinho, Advocate for the Respondent.

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

Date : **15th July, 2015**

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

Heard Shri C. A. Ferreira, learned Counsel appearing for the
Petitioner and Shri Godinho, learned Counsel appearing for the Respondents.

2. Rule. Heard forthwith with the consent of the learned Counsel.
Learned Counsel appearing for the Respondent, waives service.

3. Upon hearing the learned Counsel appearing for the respective
parties. One of the main grievance raised by the Petitioner is that the impugned

Order dated 20.04.2015 passed by the Respondent was without giving a personal hearing to the Petitioners.

4. Shri Godinho, learned Counsel appearing for the Respondents, upon instructions, submits that the Respondents shall given a personal hearing to the Petitioners and pass a fresh Order on the show cause notice dated 06.11.2014 issued to the Petitioners.

5. In view of the above, we pass the following :

ORDER

(i) The impugned Order dated 20.04.2015 is quashed and set aside.

(ii) The Respondent is accordingly directed to give a personal hearing to the Petitioners and take a fresh decision on the said show cause notice dated 06.11.2014 in accordance with law.

(iii) All the contentions of both the parties are left open.

(iv) Rule is made absolute in the above terms.

K. L. WADANE, J.

F. M. REIS, J.

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