

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 16 OF 2015

IN

WRIT PETITION NO. 297 OF 2009

COLVA CIVIC AND CONSUMER FORUM,
THROUGH AUTHORIZED
REPRESENTATIVES.,

... Applicant

Versus

THE STATE OF GOA, THROUGH CHIEF
SECRETARY AND 6 ORS.,

... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioners.
Mr. P. Dangui, Additional Govt. Advocate for the original
respondents No.1, 3 and 4
Mr. A. D. Bhobe, Advocate for the original respondent No.2.

Coram:- F. M. REIS &
C. V. BHADANG, JJ.

Date:- 16th November, 2015

P.C.:

Heard Mr. Nigel Costa Frias, learned Counsel appearing for the petitioners, Mr. P. Dangui, learned Additional Govt. Advocate appearing for the original respondents No.1, 3 and 4 and Mr. A. D. Bhobe, learned Counsel appearing for the original respondent No.2.

2. This is an application for review filed by the applicants on two grounds. It is the contention of the learned Counsel appearing for the petitioners that this Court has taken a view that there was no pond in the disputed property and that there is no direction to examine the representation filed by the petitioners.

3. As far as the first ground is concerned, on perusal of the Judgment under review, at paragraphs 9 and 10 we have clearly taken note of the material on record to come to the conclusion that there was no evidence to show that there was a village/public pond in the subject-property. Hence, the first ground does not survive.

4. As far as the second aspect is concerned, at para 10, we have clearly mentioned that the petition is rejected subject to the directions issued therein. The directions can be spelt out by the observations at para 8 of the said Judgment which clearly suggests that the earlier representation filed by the petitioners should be examined afresh in the context of the existence or otherwise of the public pond by the concerned Authority on its own merits. The learned Counsel appearing for the respondents also accept the position

5. Hence, there is no error apparent on the face of the record and, as such, the above review petition stands disposed of accordingly.

C. V. BHADANG, J.

F. M. REIS, J.

ssm.