

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 62 OF 2015

VILLAGE PANCHAYAT OF BHOMA-ADCOLNA
THR. ITS DEPUTY SARPANCH, SHRI.
DAMODAR NAIK.

... Petitioner

Versus

STATE OF GOA THR. CHIEF SECRETARY
AND 3 ORS.,

... Respondents

Mr. Raunaq Rao, Advocate for the petitioner.

Mr. D. Lawande, Government Advocate for the respondent nos. 1 to 3.

Mr. P. P. Singh, Advocate for the respondent no. 4.

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

Date:- 11th March, 2015

P.C.

Heard Shri Rao, learned Counsel appearing for the petitioner, Shri Lawande, learned Government Advocate appearing for the respondents no. 1 to 3 and Mr. P. P. Singh, learned Counsel appearing for the respondent no. 4.

2. We have heard the learned Counsel for the respective parties and on going through the records and considering the grievance raised by the petitioner, it appears that the petitioner's concern is that the slag which is generated from the factory premises of the respondent no. 4, will create pollution and nuisance at the site and

lead to hazardous consequences.

3. Shri Lawande, learned Government Advocate appearing for the respondents no. 1 to 3 has pointed out that the consent to operate issued by the Pollution Control Board is due for renewal and as such, according to him, the Pollution Control Board is in the process of imposing conditions at the time of such renewal to ensure that the slag which is existing as well as which would be generated from such factory premises of the respondent no. 4 are scientifically disposed of.

4. Shri P. P. Singh, learned Counsel appearing for the respondent no. 4 upon instructions has pointed out that the respondent no. 4 shall ensure that no hazardous situation would occur at the site on account of the slag generated from the factory premises of the respondent no. 4. The learned Counsel further points out that this exercise has already been undertaken and the respondent no. 4 shall ensure that no nuisance is caused in the locality.

5. Shri Rao, learned Counsel appearing for the petitioner states that in view of the said statements of the learned Government Advocate appearing for the respondents no. 1 to 3 and Shri P. P. Singh, learned Counsel appearing for the respondent no. 4, at present, the grievance raised by the petitioner stands redressed.

6. In view of the above, accepting the statements of the learned Counsel appearing for the respondents no. 1 to 3 and respondent no. 4, we dispose of the above Writ Petition, with liberty to the petitioner to apply in case of any further situation at the site. Needless to say that all contentions of both the parties on merits, are kept open.

7. The Writ Petition stands disposed of accordingly.

K. L. WADANE, J.

F. M. REIS, J.

SMA