

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 20 OF 2008

MRS. ELSY DA COSTA AND 3 ORS., ... Petitioners
Versus
STATE OF GOA THROUGH CHIEF
SECRETARY AND 11 ORS., ... Respondents

Mr. J. A. Lobo, Advocate as Amicus Curiae.
Mr. A. N. S. Nadkari, Advocate General with Mr. D. Lawande,
Government Advocate for the Respondent nos. 1, 2, 3 4 and 5.
Ms. A. Matondkar, Advocate for the Respondent nos. 11 and 12.
Mr. S. Keny, Advocate for the Respondent no. 13.

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

Date:- 23rd February, 2015

ORAL ORDER

Heard Shri J. A. Lobo, learned Counsel appearing as Amucus Curiae, Shri A. N. S. Nadkarni, learned Senior Counsel appearing for the Respondent nos.1, 2, 3, 4 and 5, Ms. Matonkar, learned Counsel appearing for the Respondent nos. 11 and 12 and Shri S. Keny, learned Counsel appearing for the Respondent no. 13.

2. The above Writ Petition was essentially concerning illegal stone crushing units and quarrying activities which were alleged to have been carried out by the Respondents in the Village of Sao Jose de Areal, Sarzora and Gudi Paroda.

3. On 27.01.2015, an affidavit was filed by the Member Secretary of

the Goa State Pollution Control Board, inter alia, stating that necessary directions have been issued to regulate the functioning of the stone crushing unit. Accepting the affidavit filed by the Member Secretary, we find that the grievances so far as the stone crushing unit is concerned, would not survive.

4. With regard to the grievances raised by the Petitioners in connection with the alleged illegal quarry activities in the Villages, an affidavit has been filed by the Member Secretary, Goa State Pollution Control Board, inter alia, stating that no consent has been taken in any of the said Villages for quarrying activity. Hence, we find that the grievances with regard to the alleged illegal quarry activities also would not survive at this stage accepting the said statement in the said affidavit dated 23.02.2015.

5. The above Writ Petition is accordingly disposed of by accepting the statements in the said two affidavits of the Member Secretary, Pollution Control Board. Needless to say the Petitioners are at liberty to apply in case of any violations and all their contentions are left open.

K. L. WADANE, J.

F. M. REIS, J.

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