

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 10 OF 2016

IN

WRIT PETITION NO. 1027 OF 2015

M/S.HIBUSCUS HOLIDAY HOMES (GOA)
PVT. LTD. REP. BY ATT. MR.MARIO A.
GAUDANCIO C. PEREIRA AND 2 ORS.,

... Applicants

Versus

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

... Respondents

Shri A. F. Diniz, Advocate with Mr. Ryan Da Piedade Menezes,
Advocate for the Applicants.
Shri Sahish Mahambrey, Advocate for the Intervenor.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 4th April, 2016

P.C.:

This is an application for review of Order passed by this Court dated 22.2.2015 in Writ Petition No. 1027/2015 on the ground that the observation made therein that water directed to be supplied under Section 94-A of the Goa Public Health Act was restricted only for domestic purpose and not for commercial purpose, is contrary to the provision of the law.

2. Shri A. Diniz, learned Counsel appearing for the applicants states that a plain reading of the provisions of Section 94-A of the said Act clearly provide that potable supply of water can also be given to a factory and it is not restricted only for domestic purpose.

Learned Counsel for the applicants further points out that there is an error apparent on the face of records which calls for the review of the said Order.

3. We have considered the submission of the learned Counsel appearing for the applicants and have gone through the records.

4. The observation that the supply of water was only for domestic purpose was in the context of the contention of Mr. Diniz, learned Counsel appearing for the petitioner therein, that the supply of water sought by the petitioner was only for domestic purpose.

5. On going through the provisions of Section 94-A of the Goa Public Health Act, it is seen that the supply of water which can be permitted is only potable water. As such, the observation made in the said order were not in the context of the supply of potable water to different premises as referred to in the said provisions. The observations are restricted only to the facts of the said case in the said petition and in the context of supply of potable water, as sought by the petitioners therein.

6. Application stands disposed of accordingly.

msr