

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 5 OF 2016

IN

PUBLIC INTEREST LITIGATION WP NO. 22 OF 2013

SURESH ANANT KAMAT.

... Applicant

Versus

THE STATE OF GOA REP. BY CHIEF
SECRETARY AND 3 ORS.,

... Respondents

Applicant in Person.

Mr. A.N.S. Nadkanrni, Advocate General with Mr. V.Rodrigues,
AGA for the respondents.

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

Date:- 7th March, 2016

P.C.

Heard the applicant in person and Mr. Nadkarni, learned
Advocate General, appearing for the respondents.

2. The present application filed by the original petitioner is for review of the order passed by this Court in PIL No.22/2013 dated 18th November, 2015. By filing this review petition, the petitioner has raised four additional grounds to the earlier PIL i.e. (i) that this Court should give its verdict regarding the date from which past dues are to be recovered from the persons/indulging in the business to avoid any illegalities discrimination and harassment; (ii) this Court should give its verdict on levying Rs. 5000/- on every vehicle every year used for transporting ground water in addition to the ground

water charges, (iii)direct the authorities to compulsorily installed water mater to prevent exploitation of ground water for commercial purpose and (iv)appointment of an appropriate Appellate Authority devoid of any conflict of interest so as to free the persons/entities involved in the business from sufferings in fighting Court battles.

3. We have heard the petitioner in person and Mr. Nadkarni, learned Advocate General appearing for the respondents.

4. According to the petitioner, the above aspects are apparently additional short-comings as far as subject issues are concerned and hence are required to be effectively addressed.

5. We have perused the order passed by this Court in the PIL, in which certain directions were issued to the State Government and its authorities for the proper implementation of Goa Ground Water Regulation Act 2002. By way of filing this review petition, the petitioner has claimed additional reliefs. The petitioner has not pointed out any error apparent on the face of record which would call for the review of the judgment passed by this Court or that there is a typographical or any clerical error on the face of the record nor any justifiable reason which would call for review of the judgment passed by this Court. By filing this application, the applicant is raising new grounds in the present review application which are not permissible in law. It is well settled that the review cannot be an

appeal in disguise. Considering the nature of this petition, it is not necessary to revisit all the aspects determined by this court in the PIL. The claim put forward by the Applicant in the present review petition cannot be examined in the present application as no such direction can be issued where there is no support in law.

6. In such circumstances, we find that there is no case made out by the petitioner for any review of the judgment passed by this Court in PIL. There is no justifiable reason for review of the judgment as there is no any error apparent on the face of record. Hence, there is no merit in the above application which stands accordingly rejected.

K. L. WADANE, J.

F. M. REIS, J.

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