

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 264 OF 2017**

1. Mrs. Punam Saini
major, British citizen of Indian origin
Holding OCI card bearing No. A 100356
daughter of -Lt. Nihal Chand Chaudhri,
r/o Villa numbers 71, 69, 68, 67, 65, 60
Luisa by the Sea, Mobor Cavelossim,
Salcete Goa.

2. Mrs. Sophie George,
Major, Indian National,
Daughter of Lt. George Joseph
r/o Appt's 1 & 2, Luisa by the Sea,
Villa nos. 61, 62
Mobor – Cavelossim,
Salcete Goa.

... Petitioners

Versus

1. The State of Goa,
Through its Chief Secretary,
Secretariat,
Porvorim Goa.

2. The Goa State Pollution Control Board,
through its Member Secretary,
Patto, Panaji Goa.

3. Mr. Kanric D'Mello,
Owner of M/s K4 Supermarket,
H.No.389/B/G/3,
Luisa By the Sea
Mobor, Cavellosim,
Salcete Goa.

4. Mr. Robinson B. D'Mello
 Owner of M/s K4 Cuisine
 H.No.389/B/G/3,
 Luisa By the Sea
 Mobor, Cavellosim
 Salcete Goa.

... Respondents

Mr. Nigel Da Costa Frias and Ms. L. Sawant, Advocates for the petitioners.

Mr. D. Lawande, Advocate General with Mr. A. Prabhudessai, Addl. Government Advocate for the respondent no.1.

Mr. D. Lawande, Advocate General with Mr. R. Shivolkar, Addl. Government Advocate for the respondent no.2.

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

Date:- 3rd May, 2017

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. Nigel Da Costa Frias, learned counsel appearing for the petitioners and Mr. D. Lawande, learned Advocate General appearing for the respondent nos. 1 and 2.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. The learned Addl. Government Advocate appearing for the respective respondents waive service.

4. The grievance of the petitioners is that despite of some discrepancies noted at the time of the inspection of the subject compressor no remedial measures have been taken by the concerned respondents.

5. During the course of the hearing, learned Advocate General submits that the inspection was carried out only in the month of December, 2016 and the Pollution Control Board shall proceed to hold a fresh site inspection of the subject compressor and thereafter proceed to take action, if any, in accordance with law. The learned Advocate General further points out that this exercise shall be carried out within six weeks from today and in case any action is contemplated, the concerned parties shall be given an opportunity of being heard. The statement stands accepted. Accepting the said statement, nothing survives in the above petition. Needless to say, we have not examined the merits of the

rival contentions and all contentions of the private respondents are left open. Liberty to apply. The petition stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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