

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 326 OF 2017

IN

MISC.CIVIL APPLICATION NO. 138 OF 2017

M/S. MOVAJ ENTERPRISE PVT. LTD.,

... Applicant

Versus

THE GOA FOUNDATION, THR. ITS
SECRETARY AND 6 ORS.,

... Respondents

Mr. Nitin Sardesai, Senior Advocate with Ms. R. Kantak,
Advocate for the applicant.

Ms. A. Fernandes, Advocate for respondent No.1.

Mr. D. Lawande, Advocate General with Mr. D. Shirodkar,
Additional Govt. Advocate for the respondents No.2 to 6.

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

Date:- 19th April, 2017

P.C.:

Heard Mr. Nitin Sardesai, learned Senior Counsel
appearing for the applicant, Ms. A. Fernandes, learned Counsel
appearing for respondent No.1 and Mr. D. Lawande, learned
Advocate General appearing for the respondents No.2 to 6.

2. This is an application for speaking to the minutes of
order of this Court dated 14/02/2017.

3. Mr. Sardesai, learned Senior Counsel appearing for the
applicant points out that the statement recorded at para 3 of the

said order dated 14/2/2017 should mean that no civil construction work is being carried out in the property admeasuring 95000 sq. metres which is the subject matter of the disputed in-principle recommendations granted by the IPB. The learned Senior Counsel further submits that the order records that no civil work will be carried out, when it should have read as 'no civil construction work'.

4. Ms Fernandes, learned Counsel appearing for the respondent No.1 opposes the said request and points out that the applicant should not be permitted to undertake any activity in the subject property.

5. Mr. D. Lawande, learned Advocate General appearing for the respondents No.2 to 6 submits that there is already a stop work order dated 2/2/2017 issued by the respondent No.3-Goa Coastal Zone Management Authority, directing the applicant herein not to carry out any civil work in the subject property.

6. Having heard the learned Counsel appearing for the respective parties, we are not modifying or interfering with the directions already issued by the respondent No.3 in the said order referred to by the learned Advocate General which are stated to be still in operation. Nevertheless, the statement of the learned Senior Counsel appearing for the applicant herein as recorded in

para 3 of the order dated 14th February, 2017 stands corrected and the words "no civil work" shall be deleted and the words "no civil construction work" be inserted therein. To that extent, the application is allowed and disposed of accordingly. Registry to act accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

ssm.