

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.905 OF 2018

Bhaskar Narayan Soman

... Petitioner

Versus

Deputy Director-I,
Directorate of Mines & Geology,
Panaji & Ors.

... Respondents

Mr. Kapil D. Kerkar, Advocate for the Petitioner.

Mr. D. Lawande, Advocate General with Mr. A. Jamadar, Additional
Government Advocate for the Respondents.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 9 October 2018.

P.C. :

In this petition, the Petitioner has made a limited grievance that he has not been informed as to who is the competent Authority to decide the revision application. According to the Petitioner, he had approached the Chief Secretary since the revision lies to the State Government, however, the revision was not entertained. On the last occasion, the learned Additional Government

Advocate had sought time to take instructions as to which Authority will hear the revision application. The learned Advocate General informs that the Secretary (Mines) will decide the application filed by the Petitioner. The learned counsel for the Petitioner states that the grievance made by the Petitioner in this petition stands satisfied.

2. The learned counsel for the Petitioner states that the Petitioner apprehends that the revision may not be entertained by the Secretary (Mines), being time barred. Proviso to Section 49 of the Goa Minor Mineral Concession Rules, 1985 confers a discretion on the Government to entertain the application beyond the specified period, if a sufficient cause is shown. The Authority while considering proviso to Section 49 will no doubt take into consideration the fact that the Petitioner had approached the Chief Secretary in time and in the facts so narrated that the revision could not be decided. The Petitioner will remove the procedural and clerical objections, if any, in respect of the revision within a period stipulated by the Authority. The writ petition is accordingly disposed of.

Prithviraj K. Chavan , J.

N.M. Jamdar, J.