

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO.28 OF 2017

Old Cross Fishing Canoe Owners

Co-op. Society through its President & Anr. Petitioners.

Versus.

Board of Trustees of the Mormugao

Port Trust, thorough its Chairman & ors. Respondent.

Mr. Nigel Da Costa Frias, Advocate for the Petitioners.

Mr. Yogesh Nadkarni, with Ms. D. Shirgam, Advocate for
Respondent No.1.

Mr. Pradosh P. Dangui, Government Advocate for Respondents No.2
and 3.

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

Date : 23 July 2018.

P.C.:

This Public Interest Litigation was filed for directions to the Sub-Committee appointed by Respondent No.2-Goa Coastal Zone Management Authority pursuant to the directions issued by the National Green Tribunal. From various orders passed from 20 September 2017 in this PIL Writ Petition, the activities of the Sub-Committee has been monitored and on 9 July 2018, the decision taken by the Authority pursuant to the report of the Committee was

tendered in this Court. In the decision, the Authority has suggested further course of action.

2. The learned Counsel for the Petitioners has pointed out that the main proceedings are pending before the National Green Tribunal. It is also pointed out to us by the learned Counsel for the Petitioners that filing of the Petition here in this Court was necessitated due to the fact that the Tribunal at Pune was not functional and now that impediment also does not exist. By this Petition, we had only monitored the functioning of the Sub-Committee and now that the report has been submitted and an order has been passed by the Authority, the pending proceedings before the Tribunal will have to be continued.

3. On 9 July 2018, the following order was passed :

“ The learned Advocate General has placed on record an extract of the decision taken by Respondent No.2-Goa Coastal Zone Management Authority in the meeting held on 22 June 2018.

2. The learned counsel for the Petitioners seeks time to examine whether the petition survives and the cause has to be agitated further in the National Green Tribunal. Stand over to 23 July 2018. To be placed under the caption "For Directions".”

The learned Counsel for the Petitioners states that he has examined the issue and now the further proceedings will have to be taken

before the National Green Tribunal.

4. In view of this position, we are of the opinion that it is not necessary to keep the PIL Writ Petition pending in this Court. Further action will have to be taken in the proceedings pending before the National Green Tribunal.

5. In view of the above, the Petition stands disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.