

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1132 OF 2017

BOSHAN DEVELOPERS PVT. LTD., REP.
BY ITS DIRECTOR, AMIR S.
GAITONDE.,

... Petitioner

Versus

CARLOS TAVORA AND ANR.,

... Respondents

Shri Shivan Desai, Counsel for the petitioner.

Shri S. Usgaonkar, Senior Counsel with Shri V. Palekar,
Advocate for the respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 12th February 2018

P.C.:

Shri Shivan Desai, learned Counsel for the petitioner and Shri S. Usgaonkar, learned Senior Counsel came to be heard for some time. It was suggested that the matter could be given a quietus by directing the Goa Pollution Control Board i.e. the respondent No.2 to give hearing.

2. The respondent No.2 has been directed to give a hearing to the petitioner herein. However, although the order of the respondent No.2 was set aside by the Tribunal namely that the condition No.5(xv) of the Consent had been quashed and set aside, nonetheless, all the contentions of the parties are left open in respect of the tenability of the imposition of the said

condition.

3. The contention of Shri Usgaonkar, learned Senior Counsel qua the effect of the load deflection test should remain unaffected and shall not influence the respondent No.2 while deciding the matter.

4. In these terms the petition stands disposed off.

NUTAN D. SARDESSAI, J.

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