

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 148 OF 2019**

NANU RESORTS PVT. LTD., THR. ITS
DIRECTOR, SANDESH K. NAIK.

... Petitioner

Versus

STATE OF GOA, THR. CHIEF SECRETARY
AND 3 ORS.

... Respondents

Mr. Ashwin D. Bhobe, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Mr. Deep D. Shirodkar, Addl.
Government Advocate for Respondent Nos.1,2,3 & 4.

**Coram:- M. S. SONAK &
NUTAN D. SARDESSAI, JJ.**

Date:- 24th September, 2019

P.C.

Heard Mr. Bhobe, learned counsel for the Petitioner and
Mr. D. Pangam, learned Advocate General along with Mr. D. Shirodkar,
learned Addl. Government Advocate for Respondent Nos.1 to 4.

2. According to us, it will not be appropriate to issue any writ
to the Respondents to supply any water specifically to the Petitioner
alone. This is more so because in the affidavit filed by Mr. Rumil A. C.
Barreto, Executive Engineer of Respondent No.3, it is pointed out that
there is a scarcity of water in Pernem Taluka and for this reason there is
restricted supply of water in the areas of Pernem Taluka.

3. However, in the same affidavit, at paragraph 23, this is what is stated :

“23. I state that the grounds alleged by the Petitioner in this petition have been substantially dealt with hereinabove and I repeat and reiterate that it is duty of the State Government to provide drinking water to its citizens as is guaranteed under Article 21 of the Constitution of India. I state that since there is scarcity of water in Pernem taluka, there has been restricted supply of water to the areas of Pernem taluka for domestic use and with the prevailing scarcity of water, water supply cannot be provided for commercial purpose to the Petitioner. It is most respectfully submitted that the work of augmentation of existing 15 MLD plant to 30 MLD is already tendered and after the commencement of this augmentation water supply scheme in Pernem taluka, the issue pertaining to water scarcity will be improved. I state that the demand of the Petitioner made vide letter dated 29.05.2018 was refused solely on the ground of scarcity of water as has been explained herein above. Furthermore, there is no statutory provisions which enables the Petitioner to allow filing of water by using its tankers from the reservoir plant belonging to the State Government. The demand made by the Petitioner was for commercial purpose and considering the present scenario, presently water supply to some villages of Pernem taluka are receiving restricted treated water for domestic need.”

4. Since, the State has already tendered the work of augmentation of the existing 15 MLD plant to 30 MLD plant, in order to address the issue of scarcity of water, we expect the Respondents to proceed with this work as expeditiously as possible. In fact, even according to us, this augmentation project will, at least to certain extent,

address the issue of scarcity of water in Pernem Taluka and therefore, it will be in the public interest that this project is expedited. We direct accordingly.

5. With the aforesaid directions, we dispose of this petition.

6. All concerned to act on the basis of the authenticated copy of this order.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

at*