

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION (REVIEW) NO. 8 OF 2019
IN
PUBLIC INTEREST LITIGATION WP NO. 28 OF 2014

SUDIP N. TAMANKAR., ... Applicant

Versus

STATE OF GOA, THR. THE CHIEF
SECRETARY FOR TRANSPORT AND 34
ORS., ... Respondents

Applicant present in person.

Mr. P. Dangui, Government Advocate present for the State.

Coram:- R. D. DHANUKA &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 19th March 2019

P.C.:

By this review application, the Applicant i.e. the original Petitioner seeks recall of the Order dated 07.12.2018 passed by this Court in PIL WP No. 28/2014, thereby forfeiting the deposit amount of Rs. 50,000/- which was made by the Applicant.

2. The PILWP No. 28/2014 filed by the Applicant was disposed of by Order dated 07.03.2016 after recording various reasons. However, the order dated 07.12.2018 passed by this Court, was passed without hearing the Applicant. This Court observed that while disposing of the petition, there was no order passed as regards withdrawal of the amount which was directed

to be deposited by the Petitioner while entertaining the petition. The amount thus, was ordered to be forfeited.

3. In our view, the Applicant has made out a case for recall of the Order dated 07.12.2018, and for order and direction to the Registry to allow the Applicant to withdraw the amount of Rs. 50,000/- deposited in this Court at the stage of filing PILWP No. 28/2014.

4. No malafides against the Applicant are found by this Court in the said Order dated 07.03.2016. We therefore pass the following Order:

The Civil Application (Review) No. 8 of 2019 is allowed.

The Registry is directed to return the amount of Rs. 50,000/- deposited by the Applicant in PILWP No. 28/2014 within two weeks from the date of communication of this order.

The Civil Application (Review) is disposed of in the aforesaid terms.

The Registry to act upon the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.