

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 483 OF 2018

IN

WRIT PETITION NO. 33 OF 2016

THE DIRECTOR (VIGILANCE) AND
EX-OFFICIO ADDL. SECRETARY TO THE
GOVT., PANAJI.,

... Applicant

Versus

SHIVPRASAD S. NAIK.,

... Respondent

Mr. Pravin N. Faldessai, Additional Government Advocate for
the Applicant.

Mr. L. Raghunandan, Advocate for the Respondent.

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

Date:- 27th February 2019

P.C.:

Heard Mr. Pravin N. Faldessai, learned Additional
Government Advocate for the applicant and Shri L.
Raghunandan, learned Advocate for the respondent.

2. This application requests us to speak to the minutes of the
judgment and order dated 13/10/2016.

3. The prayer in the application is that the order dated
13/10/2016 be "suitably clarified".

4. Mr. P. Faldessai, learned Additional Government Advocate submits that in the present case, the Disciplinary Authority is a Chief Minister and not the Governor. On this basis, he submits that the remand should have been to the Chief Minister and not to the Disciplinary Authority appointed by order dated 10/09/2008.

5. On perusal of the judgment and order dated 13/10/2016, we find that the precise issue which was involved in the petition was, who is the correct Disciplinary Authority? Therefore, in an application which requests us to only speak to the minutes or to suitably clarify our order, there is no question of granting any substantive relief as is now prayed for.

6. According to us, whatever reliefs the petitioner requires cannot be considered in an application for speaking to the minutes or in an application seeking clarification. On the aforesaid ground, the application for speaking to the minutes or for seeking clarification is dismissed.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

NH