

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 960 OF 2018

OSCAR FERNANDES., ... Petitioner

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 6 ORS., ... Respondents

Mr. Gaurang D. Panandiker, Advocate for the Petitioner.
Mr. Vishwadh Sardesai, Addl. Government Advocate for
Respondent Nos.1,3 & 4.
Mr. J. Godinho, Advocate for Respondent No.2.
Mr. A. Palekar, Advocate for Respondent No.5.
Ms. A. Godinho, Advocate for Respondent Nos.6 and 7.

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

Date:- 6th March 2019

P.C.

Heard Mr. Panandiker, learned counsel for the Petitioner,
Mr. V. Sardesai, learned Addl. Government Advocate for
Respondent Nos.1, 3 and 4, Mr. J. Godinho, learned counsel for
Respondent No.2, Mr. A. Palekar, learned counsel for
Respondent No.5 and Ms. A. Godinho, learned counsel for
Respondent Nos.6 and 7.

2. The learned counsel for the parties point out that after this
petition was instituted, the car washing centre being put up by
Respondent Nos.6 and 7 has been accorded a final N.O.C. by the

Panchayat as well as a consent to operate by the Goa State Pollution Control Board.

3. This petition had sought for implementation of the directions/order dated 5th May, 2018 and 8th June, 2018 issued by Respondent Nos.3 and 5 against the Respondent Nos.6 and 7 in relation to car washing centre. Obviously, on account of aforesaid subsequent development, there is no question of any further implementation which survives. In that sense therefore, the relief applied for in the present petition stands worked out.

4. Mr. Panandiker, learned counsel for the Petitioner however submits that liberty may be reserved to the Petitioner to question the consent to operate granted by the Goa State Pollution Control Board in respect of car washing centre by instituting appropriate proceedings as may be permissible under the law.

5. Accordingly, we dispose of the present petition with liberty as prayed for.

6. We make it clear that we have not adverted to the rival contentions on merits and therefore, all contentions of parties are specifically left open for determination by the appropriate authority, should and when the occasion arise for the same.

7. The petition is disposed of in the aforesaid terms. There shall be no order as to costs.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

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