

IN THE HIGH COURT OF BOMBAY AT GOA

SUO MOTU WRIT PETITION NO. 2 OF 2016

.....

... Petitioner

Versus

1. The State of Goa,
through its Chief Secretary,
Porvorim Goa.
2. The Director of
Social Welfare Department,
Panaji Goa.
3. The Director of Women and Child Development,
Government of Goa,
Panaji Goa.
4. The Director, Provedoria,
Government of Goa,
Panaji Goa.

... Respondents

And

1. Mr. Arun Pandey
Indian National,
aged 49 years,
address: Flat No.4, 1st Floor,
Our Lady of Guia Bldg.,
Next to BDO office,
Vasco Goa 403 802

2. Ms. Mariette Correa
Indian National,
aged 52 years,
Address: 1016 Muddo,
Carona, Bardez Goa 403 523

... Intervenors

Mr. Ryan De Piedade Menezes, Amicus Curiae.

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

Ms. A. Gode, Advocate for the intervenors.

**Coram:- M. S. SONAK &
C. V. BHADANG, JJ.
Date:- 13th November, 2019**

Oral Judgment (Per M. S. Sonak, J)

Heard Mr. R. Menezes, learned Amicus Curiae in this matter as well as Ms. A. Gode, learned counsel for the intervenors.

2. We also heard Mr. D. Pangam, learned Advocate General who appears alongwith Mr. D. Shirodkar, learned Addl. Government Advocate.

3. By our order dated 30th August, 2016, we had taken cognizance of a news report in the daily '*The Navhind Times*' dated 30th August, 2016 in relation to inmates living in unhygienic condition at protective home. In order that the facilities at such protective home are

improved, we directed that the news item be treated as Suo Motu Writ Petition No.2 of 2016.

4. From time to time, we made several orders in relation to the concerned protective home. This includes our order dated 15th January, 2019, in which we had listed out three phases in which the works in relation to the concerned protective home were to be completed. There was also an issue of shifting the office premises of the Juvenile Justice Board from protective home building to the Apna Ghar building. In the order dated 15th January, 2019, certain timelines were indicated by us within which the works to be completed.

5. Thereafter, we were monitoring the progress of the work and upon being satisfied with the work that was proceeding, we also granted extensions of time.

6. The learned Advocate General now states that the works listed in phase-III will be positively completed by the end of February, 2020. He states that certain suggestions have been made by the learned Amicus Curiae as well as the intervenors and the State has no difficulty in considering such suggestions. The learned Advocate General in fact states that most of the suggestions have been accepted and incorporated in the works.

7. The learned Advocate General also states that phase-III will, as undertaken earlier, be completed within 90 days from the date of completion of phase-II.

8. Accordingly, we are satisfied that the *Suo Motu Writ Petition* has served its purpose and there is no necessity to keep the same pending any further. We however dispose of the *Suo Motu Writ Petition* but direct the Respondents to file their compliance report in the matter by 11th March, 2020.

9. We also make absolute the various interim orders made by us from time to time and such orders may be deemed as a part of this order by which we have finally disposed of this petition.

10. We earnestly thank Mr. R. Menezes, learned *Amicus Curiae* and Ms. A. Gode, learned counsel for the intervenors for the efforts taken by them in the resolution of issues which arose in this petition. We note that the learned counsel from time to time visited the site and offered constructive suggestions. At the same time, we also record our appreciation for the proactive stand taken by the learned Advocate General of the State of Goa. We must record that none of the parties treated this matter as an adversarial litigation but the entire object was to find a solution to the problem which prompted to treat the news item as *Suo Motu Writ*

Petition.

11. The petition is disposed of in the aforesaid terms.

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

C. V. BHADANG, J.

M. S. SONAK, J.

at*