

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 777 OF 2019

IN

PUBLIC INTEREST LITIGATION (SUO MOTU) NO. 2 OF 2019

THE CHARLES CORREA FOUNDATION,
THR., ITS AUT. REP., ARMINIO
RIBEIRO.,

... Applicant

Versus

STATE GOVT., THR. ITS CHIEF
SECRETARY AND ANR.,

... Respondents

Mr. Kaif Noorani with Mr. Nafeez Khan, Advocates for the
intervenors.

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

Date:- 19th August, 2019

P.C.:

By instituting Misc.Civil Application No.777/2019, the Charles Correa Foundation which is a charitable trust seeks to intervene in this matter. The learned Amicus Curaie submits that there should be no objection permitting such an intervention.

2. The learned Advocate General also does not oppose the intervention application but submits that there are certain factually incorrect statements made in the intervention application. Particularly, he points out that such paragraph in the intervention application proceeds on the basis that the

respondents have taken a decision on the issue of the Kala Academy demolition. The learned Advocate General points out that no such decision has been taken and therefore averments to this effect in the application seeking intervention application may not be taken, as correct.

3. Now that the Advocate General has made a statement that there is no decision taken for demolition of the Kala Academy, obviously there is no question of accepting such statements in the intervention application.

4. Subject to the aforesaid, we allow the intervention application and implead the intervenor as one of the respondents in this application.

5. We also grant the intervenors liberty to file affidavit in reply in this application by serving advance copy to the amicus curiae as well as Mr. Deep Shirodkar, the learned Addl. Government Advocate who appears in this matter alongwith the Advocate General, as well as the other respondents.

6. In so far as prayer clause b, c and d of the application for intervention are concerned, though, we are disposing of this intervention application, such prayers can always be considered at a later stage once the affidavit on behalf of State Government

and/or the Kala Academy is on record. We trust that none of the parties will treat this litigation as some sort of adversarial litigation and will extend cooperation to each other so that the issue is resolved on the terms which are in public interest.

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

MF/-