

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.215/2019

Voice of Villagers and others. Petitioner.

Versus

The State of Goa and others. Respondents.

Ms. Maria Correia, Advocate for the Petitioner.

Mr. Dattaprasad Lawade, Advocate General with Mr. Arun Talaulikar,
 Addl. Govt. Advocate for Respondents No.1, 2, 4, and 5.

Mr. J. Godinho, Advocate for Respondent No.3.

CORAM:- CHIEF JUSTICE &
M. S. SONAK, J.

Date:- 22 February 2019

P.C.:-

The Petitioner in the present petition sought for the following relief :

“A) For a writ of mandamus or in the nature of mandamus or any other appropriate writ, order or direction thereby directing the Respondent No.2 to take its Show Cause Notice dated 21.09.2018 to its logical conclusion and issue the necessary orders for removal of the dry dock of the Respondent No.6 situated in Survey No. 30/8 of Village Cortalim, Mormugao Taluka, Goa.”

2. The Petitioner has referred to a Judgment and Order of the Division Bench of this Court dated 31.07.2017 in PIL Writ Petitions No.6/2013 and 10/2013. The learned Counsel for the Petitioner submits that subsequent to the said Judgment, a Show Cause Notice

dated 21.9.2018 came to be issued to the Respondent No.6, by the Goa Coastal Zone Management Authority. However, thereafter no action has been initiated by the Goa Coastal Zone Management Authority.

3. The learned Advocate General appearing for the State and its Authorities, on instructions, makes a statement that the Goa Coastal Zone Management Authority will dispose of the show cause notice dated 21/09/2018 issued against the Respondent No.6, under Section 5 of the Environment Protection Act and the Rules framed thereunder, within 8 weeks from the date of receipt of copy of this order, on its own merits, in accordance with law, after hearing the concerned parties. The statement is accepted.

4. We clarify that we have not expressed any opinion on the merits of the issues raised in the show cause notice. Needless to mention that the Authority will hear the concerned parties and pass a reasoned order within a period of 8 weeks from the date of receipt of the copy of this order.

5. The Petition is disposed of accordingly. There shall be no order as to costs.

M. S. SONAK, J.

CHIEF JUSTICE