

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.1050 OF 2019**

Adani Mormugao Port
Terminal Private Limited

.... Petitioner

V/s.

The Union of India & Ors.

.... Respondents

Shri Vikram Nankani, Senior Advocate with Shri H.D. Naik and Ms. Arundathi Sathaye, Advocates for the Petitioner.

Shri M. Salkar, Advocate for Respondent No.3.

Shri Y.V. Nadkarni and Shri S.D. Kamat, Advocate for Respondent No.4.

**Coram :- M.S. SONAK &
SMT. M.S. JAWALKAR, JJ.**

DATE :- 5th February, 2020

ORAL ORDER :

Heard Shri Vikram Nankani, the learned Senior Counsel, who appears along with Shri H.D. Naik and Ms. Arundathi Sathaye, the learned Counsel for the petitioner, Shri M. Salkar, the learned Counsel for the respondent no.3 and Shri Y.V. Nadkarni, the learned Counsel for the respondent no.4.

2. Shri Nankani, the learned Counsel for the petitioner points out that on 13/12/2019, the Tariff Authority for Major Ports (respondent no.3, herein) has already issued a notice to the Chairman of the

Mormugao Port Trust (respondent no.4), in relation to the application made by the petitioner dated 30/10/2019, concerning tariff fixation for development of coal handling terminal at berth no.7 of Mormugao Port, Goa. He submits that the petitioner, at this stage, will be satisfied if some directions are issued to both respondents no.3 & 4 to expedite the resolution of the issues raised by the petitioner.

3. Shri Y.V. Nadkarni, the learned Counsel for respondent no.4, on the basis of instructions, states that response will be filed to the notice dated 13/12/2019, which was received by respondent no.4 only on 23/12/2019, within a period of eight weeks from today at the maximum.

4. Shri Salkar, the learned Counsel for respondent no.3, again on instructions, states that the Tariff Authority for Major Ports will expedite the matter and dispose of the application made by the petitioner in accordance with law and on its own merits.

5. According to us, this substantially redresses the grievance raised by the petitioner at the present stage. Accordingly, we dispose of this petition by accepting the aforesaid statements. We clarify that we have not adverted, even remotely, into the merits of the issues raised and, therefore, all contentions of parties are left open for determination by the Tariff Authority for Major Ports (respondent no.3).

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

SMT. M.S. JAWALKAR, J.

M.S. SONAK, J.

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