

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 1099 OF 2019

IN

PUBLIC INTEREST LITIGATION WP NO. 14 OF 2016

BETQUI CANDOLA SAMVARDHAN SAMITEE,
THR. ITS PRESIDENT, ARUN
MADGAVKAR.

... Applicant

Versus

GERA DEVELOPMENTS PVT. LTD., REP.
BY, CHETAN KUNKOLIENKAR AND 6
ORS.,

... Respondents

Mr. Nigel Da Costa Frias with Ms. P. Nagvekar, Advocates for
the Petitioner.

Mr. Ram Kakkar, Advocate for Respondent No.1.

Mr. Sagar Dhargalkar, Addl. Government Advocate for
Respondent No.2.

Mr. D. Pangam, Advocate General along with Mr. Pravin N.
Faldessai, Addl. Government Advocate for Respondents No.3, 4,
5 & 6.

Mr. Deep Shirodkar, Addl. Government Advocate for
Respondent No.7.

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

Date:- 27th January, 2020

P.C.:

Heard learned counsel for the parties.

2. Having heard the submissions made by the learned counsel
for the parties and having perused the reasons set out in the
application as well as the reasons for opposition in the affidavit

filed by respondent no.1, we feel that this application is required to be allowed and the petitioners, are to be permitted to produce the additional documents. We find that the additional documents now sought to be produced are all in the nature of public documents. There is no allegation in the reply that any of the documents are fabricated or manufactured by the petitioners. Merely because such documents may not have been produced in the first round of the litigation, this is no good ground to shut out the opportunity of production of these documents.

3. Accordingly, Miscellaneous Civil Application No.1099 of 2019 is allowed and the petitioners are permitted to rely upon and produce on record the documents listed in paragraph 1 of the application.

4. This miscellaneous application is disposed of in the aforesaid terms.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.