

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO.8 OF 2020

THE GOA FOUNDATION, THR. ITS
SECRETARY, DR. CLAUDE ALVARES ...PETITIONER

Versus

THE DEPT. OF MINES AND GEOLOGY,
THR. ITS DIRECTOR AND 6 ORS. ...RESPONDENTS

Ms. Norma Alvares, Advocate for the Petitioner.
Mr. D. Pangam, *Advocate General* with Ms. Ankita Kamat,
Additional Government Advocate for the Respondents No.1,2,3 & 6.
Mr. Mahesh Amonkar, *Central Government Standing Counsel for*
the Respondent No.4.
Mr. S.S. Kantak, *Senior Advocate with* Mr. A. Gosavi, *Advocate for*
the Respondent No.7.

CORAM: M. S. SONAK &
M. S. JAWALKAR, JJ
DATED: 22nd September 2021

ORAL ORDER :

1. Heard learned Counsel for the parties.
2. In this petition, the challenge was to the operation of the beneficiation plant by respondent no.7.
3. Mr. Kantak, the learned Senior Counsel appearing for the respondent no.7, states that the permission to operate this beneficiation plant was up to 09.09.2021 and the same has since expired. He states that renewal has been applied for by the

respondent no.1 and until such renewal/fresh permission is granted, there is no question of operation of the beneficiation plant.

4. The learned Advocate General states that in case any decision is taken to renew or grant fresh permission to respondent no.7, for operation of the beneficiation plant, the same will be communicated to the petitioner herein, simultaneously with its communication to the respondent no.7.

5. This statement is accepted and the concerned Authorities are directed to act accordingly.

6. Since, presently, the beneficiation plant is not functioning, we do not think that we should entertain this petition. Accordingly, we dispose of this petition with liberty to the petitioner to take appropriate steps as they may be advised, in case the permission is renewed or fresh permission is granted to operate the beneficiation plant.

7. All contentions of all parties are expressly kept open.

8. Petition is disposed of with liberty as aforesaid.

M. S. JAWALKAR, J.

M. S. SONAK, J.

NITI K
HALDANKAR

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