

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

P.I.L. WRIT PETITION NO.16 OF 2022

LINISHA DEVANAND SINARI AND 4 ORS. ... Petitioners.

Versus

STATE OF GOA THR. ITS SECRETARY
(REVENUE) AND 4 ORS. ... Respondents.

Ms. Norma Alvares with Mr. Om D'Costa, Advocates for the Petitioners.

Mr. Devidas Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate for the Respondent-State.

Mr. Raunaq Rao, Advocate for Respondent No.4.

Mr. S.S. Kantak, Senior Advocate with Mr. P. Talaulikar, Advocate for Respondent No.5.

**CORAM: C.V. BHADANG &
R.N. LADDHA, JJ.**

DATED: 29th April 2022

P.C:

1. This PIL is filed by the Petitioner seeking following substantive reliefs :

“A. For an order to the Hon'ble District Court, Mapusa in Civil Suit No. 24/2015 to hear the parties expeditiously, preferably by a date to be determined by this Hon'ble Court, and pass judgment;

B. For an order restraining the Resp. No. 5 from expanding its facility as per the EC dated 24.01.2022 in

village Amonsa, Bicholim Taluka until the determination of Civil Suit No.24/2015.

C. For costs of this petition;”

2. We have heard Ms. Alvares, the learned Counsel for the Petitioner and Mr. Kantak, learned Senior Counsel appearing for the 5th Respondent. Ms. Alvares learned Counsel for the Petitioner has made a limited prayer for expedited hearing of Civil Suit No. 24 of 2015, which is filed by the fourth respondent-Communidade, against the fifth respondent. It transpires during the course of hearing that the fourth respondent is seeking possession of the land as *Aforamento* in favour of the fifth respondent had expired on 28.02.2011.

3. The grievance raised by the Petitioner is about the graphite pollution in the vicinity of the establishment of the respondent no.5.

4. In our considered view, ideally it is for the parties to the suit to seek any such order for expedited hearing of the suit, if so advised. We are unable to grant any such direction in a Public Interest Litigation for expedited hearing of a private dispute in a Civil Court.

5. In that view of the matter, the PIL is disposed of.

6. Needless to mention, that it will be open to the parties to take steps, as may be advised, in accordance with law.

R.N. LADDHA, J.

C.V. BHADANG, J.

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