

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

**PUBLIC INTEREST LITIGATION (SUO MOTU) NO.1 OF 2019
AND
WRIT PETITION NO.214 OF 2021**

PUBLIC INTEREST LITIGATION (SUO MOTU) NO.1 OF 2019

_____ ... PETITIONER

Versus

STATE GOVT., THR. ITS
DEP. OF SCIENCE,
TECHNOLOGY AND
ENVIRONMENT, GOVT.
OF GOA AND 4 ORS.

... RESPONDENTS

Ms Norma Alvares, Amicus Curiae with Advocate Mr Om D'Costa.

**Mr D. Pangam, Advocate General with Mr S.P. Munj,
Additional Government Advocate for Respondent Nos.1 to 5.**

Mr Sameer Khedekar, Advocate for Respondent Nos.6 to 10.

Mr Shivraj Gaonkar, Advocate for Respondent No.11.

**AND
WRIT PETITION NO.214 OF 2021**

SWAPNIL MALIK

... PETITIONER

Versus

STATE OF GOA, THR.
THE SECRETARY, GOVT.
OF GOA AND 2 ORS.

... RESPONDENTS

**Mr Shivraj Gaonkar with Mr P. Sirvoikar, Advocates for the
Petitioner.**

Mr Manish Salkar, Government Advocate for Respondent – State.

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATE : 27th JUNE 2023

P.C. :

1. The learned Advocate General states that the Revision Application instituted by respondent no.13 against the Director's order dated 22.01.2020 will be disposed of by the Revisional Authority within a month from today and the decision will be placed before this Court in this PIL.

2. Mr Gaonkar states that respondent no.13 had also instituted Writ Petition no.214/2021 to question the penalty amount determined by the Director in his above referred order dated 22.01.2020. He submits that leave could be granted to respondent no.13 to raise the same issue in the revision pending before the Revisional Authority. Accordingly, leave is granted.

3. Mr Gaonkar states that with the above leave being granted, nothing survives in Writ Petition no.214/2021, which could be disposed of. Accordingly, Writ Petition No.214/2021 is disposed of. If any Misc. Civil Applications are pending in the said Writ Petition,

they will not survive. Such Misc. Civil Applications are also disposed of.

4. Since this Court has taken up the issue Suo Motu, it is only appropriate that the State places its decision before this Court in the matter.

5. The Revisional Authority must give an opportunity of hearing to respondent no.13 and Mr D'Costa, who assists the learned Amicus Curiae in this matter.

6. The State Government to file an affidavit about further recoveries by the next date.

7. Stand over to 07.08.2023.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

**NITI K
HALDANKAR**

Digitally signed by
NITI K HALDANKAR
Date: 2023.06.28
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