

Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
MISC.CIVIL APPLICATION NO.95 OF 2024
IN
PUBLIC INTEREST LITIGATION WP NO.1 OF 2024
JOAQUIM FERNANDES ... APPLICANT
Versus
SUDESH MAYEKAR AND 27 ORS ... RESPONDENTS

Mr Nikhil Pai, Advocate for the Applicant.

Mr Rohit Bras De Sa with Mr P. Naik, Advocates for the original Petitioner.

Mr D. Pangam, Advocate General with Mr S. Priolkar, Additional Government Advocate for the Respondent -State

Ms P. Gawandi, Advocate for Respondent No. 7.

Mr Pavitran A. V. with Mr P. Kholkar, Advocates for Respondent No. 10.

**CORAM:- M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATED :- 14th February, 2024

P. C.:

1. Heard Mr N. Pai for the Applicant, Mr Rohit Bras De Sa for the original Petitioner, Mr D. Pangam, learned Advocate General for the Respondent -State, Ms P. Gawandi, for Respondent No. 7, Mr Pavitran A. V. for Respondent No. 10.

2. The learned counsel for the Goa State Pollution Control Board

(GSPCB) states that the consent to operate granted to this Applicant was revoked by order dated 09/01/2024. He hands in a copy of the revocation to Mr Pai, learned counsel for the Applicant.

3. Since the consent to operate is revoked, the present application seeking de-sealing cannot be entertained at this stage. However, consistent with our earlier orders once the Applicant gets all necessary permissions, liberty is granted to apply for de-sealing. MCA No. 95/2024 is disposed of.

4. Mr Bras De Sa, learned counsel for the original Petitioner files reply pointing out to certain factors based on which he contents that premises should not be de-sealed for the present.

5. We do not wish to go into all these factors, because, as of date the consent to operate stands revoked. All contentions, however, are left open.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.