

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.410 OF 2023
WITH
WRIT PETITION NO.411 OF 2023
WITH
WRIT PETITION NO.412 OF 2023
WITH
WRIT PETITION NO.608 OF 2023

WRIT PETITION NO.410 OF 2023

Sociedade Zarapkar And Parkar Limitada, ...Petitioners
thr. POA Jaiprakash Gajanan Parkar

Versus

State of Goa, thr. Its Chief Secretary And 2 ...Respondents
Ors.

WITH
WRIT PETITION NO.411 OF 2023

Sarvesh Bharat Rege ... Petitioner.

Versus

State of Goa, thr. Its Chief Secretary And ...Respondents
2 Ors.

WITH
WRIT PETITION NO.412 OF 2023

Mineira Nacional Limitada, thr. Its ... Petitioner.
authorised rep. Subramany

Versus

State of Goa, thr. Its Chief
Secretary And 2 Ors.

...Respondents

WITH
WRIT PETITION NO.608 OF 2023

Ravindra Deulkar

... Petitioner.

Versus

State of Goa, thr. Its Chief
Secretary And 2 Ors.

...Respondents

Mr Yashraj Singh Deora, Advocate (through V.C.) with Ms Linette Esmeralda Rodrigues, Advocate for Petitioners in WP/410/2023.

Mr Devidas J. Pangam, Advocate General with Mr Deep D. Shirodkar, Additional Government Advocate for Respondent State in WP/410/2023, WP/412/2023 and WP/608/2023.

Mr Parag Rao, Advocate with Mr Akhil Parrikar and Ms Linette Esmeralda Rodrigues, Advocate for Petitioners in WP/411/2023.

Mr Devidas J. Pangam, Advocate General with Ms Maria Simone J. Correia, Additional Government Advocate for Respondent State in WP/411/2023.

Mr S. S. Kantak, Senior Advocate with Mr Kher Ceazer Simoes, Advocate for Petitioner in WP/412/2023.

Mr. Shivan Desai, Advocate with Ms Maria Carmel C. Viegas and Ms Tahira Menezes, Advocates for the Petitioner in WP/608/2023.

**CORAM: BHARAT P. DESHPANDE &
VALMIKI SA MENEZES ,JJ.**

DATE: 9th FEBRUARY, 2024

P.C.:

1. Heard learned counsel for the respective parties.
2. In all these petitions, it has been pointed out that there is provision for revision under Section 30 of the Mines And Minerals (Development and Regulation) Act, 1957 and the Rules framed thereunder, being alternate efficacious remedy available to the petitioner to challenge the impugned order, to be filed before the Secretary, Ministry of Mines, Central Government.
3. In a similar matter decided in Writ Petition No.467/2023 dated 16.10.2023, the petitioner was granted liberty to approach the Revisional Authority within a period of three weeks.
4. In the present matter, learned counsel appearing for the petitioners would submit that such procedure could be adopted by allowing the petitioners to approach the concerned Revisional Authority within a period of three weeks from today. If such revisions are filed, the State will not raise the issue of limitation. However, it is agreed by the parties that all contentions of all parties shall be kept open.
5. In view of the above, the petitions stand disposed of with liberty to approach the Revisional Authority thereby challenging the impugned orders. If such revision is filed within a period of three weeks from today, the same shall be decided on merits without adverting to the issue of limitation.

6. Ms Alvares, learned counsel appearing for Goa Foundation be heard by the Secretary before deciding the matters.
7. All contentions of all parties are kept open.
8. The petitions stand disposed of in the above terms.
9. Parties shall act based on authenticated copy of this order.

VALMIKI SA MENEZES, J.

BHARAT P. DESHPANDE, J.

MARIA SUZANA REBELLO  Digitally signed by MARIA SUZANA REBELLO
Date: 2024.02.09 17:04:08 +05'30'