

Santosh

***IN THE HIGH COURT OF BOMBAY AT GOA
SUO MOTU WRIT PETITION NO.2 OF 2007
WITH
OTHER CONNECTED MATTERS***

.. ***.... Petitioner.***

Versus

***State of Goa through Chief
Secretary and others.***

..... Respondents.

Mr. D. Pangam, Advocate General with Mr. Gitesh Shetye, Additional Government Advocate for the State.

Mr. Pravin Faldessai for Respondents No.3, 4 and 5.

Mr. A. D. Bhobe, with Mr. Chirag Angle, Advocates for Respondent Nos. 11, 15 in SMWP No. 2 of 2007 for Respondent No.2 in PILWP No.20 of 2017.

Mr. D. Lawande with Mr. P. Dangui, Advocates for the GSPCB.

Ms. Hemlata Gopi, Advocate for Respondent No.32.

Mr. Aires Rodrigues in person in C.P. No.43/2017 in PILWP 4/2007.

***Coram : M.S. Sonak &
Smt. M.S. Jawalkar, JJ.***

Date : 12th June, 2020.

P.C. :-

Heard the learned Counsel for the parties.

2. Mr. Bhobe, the learned Counsel for the Corporation of the City of Panaji hands in an affidavit of the Commissioner of the Corporation of the City of Panaji (CCP). We have perused the affidavit. From the perusal, it is evident that for the last several years, the CCP has virtually converted the Parade Ground at Campal,

Panaji into a dumping ground, without obtaining any authorisation from any of the relevant Authorities. Now an attempt is to pass on the buck and to express helplessness in the matter of clearance of the garbage, whether treated or otherwise which is presently lying at the Parade Ground.

3. Mr. Bhobe, the learned Counsel for the CCP, however, seeks time upto Tuesday, the 16th June, in order to come up with some proposals for clearing up the waste, whether untreated or otherwise which is presently lying unauthorisedly at the Parade Ground. Quite reluctantly, but in the fond hope that the Commissioner comes up with some concrete proposal, we adjourn this matter to the 16th June, 2020.

4. Mr. Lawande, the learned Counsel for the Goa State Pollution Control Board (GSPCB), submits that it is true that the GSPCB has not taken any action for the last 5 – 6 years when this unauthorised dumping was going on at the Parade Ground. He, however, submits that the GSPCB will, by the next date, issue necessary directions to the CCP and in case, such directions are not complied with, initiate the prosecution as is contemplated under the relevant legislations which govern the functioning of the GSPCB. He states that such directions will be issued before the next date.

5. Accordingly, we place this matter on the 16th June, 2020.

The Commissioner of the CCP is directed to remain personally present in this Court.

Smt. M.S. Jawalkar, J.

M.S. Sonak, J.