

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-OCW-184-2020****IN****LD-VC-CW-344-2020**

Goa State Pollution Control Board Applicant

Versus

United Marine Products & Others Respondents

Mr. Devidas J. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate for the Applicant.

Mr. Neelesh Takkekar, Advocate for the original Petitioner/ Respondent No.1.

Mr. Prashil Arolkar, Additional Government Advocate for Respondent Nos. 2 and 3.

**Coram:- M.S. SONAK &
M.S. JAWALKAR, JJ.**

Date:- 24th November, 2020

P.C.

Heard the learned Counsel for the parties.

2. We clarify that our order dated 13.11.2020 (LD-VC-CW-344-2020) was only in relation to the apprehension of demolition of certain structures in the factory put up by the original petitioner. Our order was never intended to prevent the GSPCB from undertaking thorough inspection of the factory, which might also include certain digging activities or to examine whether, the apprehensions expressed by the original petitioner are justified or not.

3. The learned Advocate General pointed out that the GSPCB suspects that the original petitioner has laid an intricate network of pipeline, unauthorizedly, for disposing of waste. No doubt, this is disputed by Mr. Takkekar, the learned Counsel for the original petitioner.

4. At this stage, it is not for us to go into such dispute. However, one thing is clear that our order dated 13.11.2020 was not intended, in any manner, to restrain the GSPCB from undertaking inspection of the factory premises. In fact, the original petitioner has also assured this Court that they will co-operate with the GSPCB with the matter of such inspection.

5. Mr. Takkekar, however, states that there is an electrical line, which passes below the factory and any digging operation might prove to be hazardous. We are sure that the GSPCB officials or any other officials will be constraint of all this and will take necessary precautions.

6. Mr. Takkekar, on the basis of instructions, states that even the original petitioner has no intention, in any

manner, to obstruct the GSPCB officials from effectively inspecting the factory premises. This is more so because the original petitioner is confident that it has not done any illegal activity in the factory premises.

7. With the aforesaid clarification, we dispose off this miscellaneous application.

8. All concerned to act on the basis of an authenticated copy of this order.

M.S. JAWALKAR, J.

M.S. SONAK, J.

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