

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-OCW-208 OF 2020

IN

LD-VC-CW-352 OF 2020

Mazania of Shree Navdurga Saunstan ... Applicant.
Versus
Administrator of Devalayas, and anr. ... Respondents.

Shri Parag Wagle, Advocate for the applicant.
Ms. Maria Correia, Addl. Govt. Advocate for the respondent no.1.
Shri Vivek A. Dandekar, Advocate for the respondent no.2.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 10th December 2020.

P.C. :

On 25.11.2020 this Court disposed of LD-VC-CW-352/2020 .

In that case petitioner's represented that:

“2.Now, the petitioners have come up with this application urging the Court for a direction to the first respondent to install Closed Circuit Cameras in the temple premises, at the petitioners' expense. According to them, as articulated by Shri Katak, the learned Senior Counsel, the temple will have its festivities beginning on 4/12/2020. There is going to be huge gatherings of the devotees and spectators. During those festivities, a few anti-social elements may take advantage of the situation and indulge in malpractices as well as misappropriation of funds. To ward of any such incidents, the petitioners desire to install C.C Cameras at their own expense, but under the seal and authority of the first respondent, so that the recordings will have legitimacy.”

2. In that context this Court gave following directions:

“4. Under these circumstances, I dispose of this Writ Petition, holding that the petitioners may install the C.C.

Cameras under the seal and authority of the first respondent.

5. *It seems the Mamlatdar concerned, that is the first respondent, has been on leave. If that is the case, the installation of C.C. Cameras will take place under the supervision of the Joint Mamlatdar-1, as indicated above.”*

3. Now the petition has once again come up with this MCA seeking following clarification:-

- a. That order dated 25.11.2020 be clarified/modified to also include the monitoring of the recording of the CC Cameras fixed in the temple by the Respondent no.1 by giving the footages of the same on appropriate gadgets to the Petitioner periodically.
- b. The respondent no.1 may be directed to take serious action against any anti-social elements taking undue advantage and indulging in malpractices and misappropriation of funds.
- c. The respondent no.1 also may be directed to restrict the entry of any other person/s other than Respondent No.2 or his associates in the Sanctum Sanctorum (GARBHAGRAHA) of the temple.”

4. As to the entire allegations concerning the first respondent, Ms. Maria Corriea, learned Additional Government Advocate seeks time to file counter.

5. At any rate, the learned counsel for the petitioner and that of the second respondent together submit that the festivity will last until today. Already certain anti-social elements have destroyed all 19 CC TV Cameras the petitioner's installed. Had the first respondent co-operated and followed this Court's direction by putting official seal on those Cameras, this Court would have had advantage of subjecting them to verification

6. Nevertheless, I reckon that this is an issue beyond the scope of this application.

7. But in the interest of justice this Court wants to ensure that in any gathering involving people including religious festivities law and order cannot be dispensed with.
8. Under these circumstances, for today, if the petitioner apprehends any breach of peace in the vicinity of the temple by any unlawful elements, they are free to approach jurisdictional police. Once there is any complaint, the police will suitably act and ensure that there is no law and order problem in or around the temple. If the petitioner approaches the police, they will suitably act on the petitioner's request once an authenticated copy of this order is placed before them.
9. Post the matter after vacation.
10. Authenticated copy of this order be expedited.

DAMA SESHADRI NAIDU, J.