

**IN THE HIGH COURT OF BOMBAY AT GOA**

**LD-VC-OCW-85/2020**

**IN**

**WRIT PETITION NO. 942 OF 2018.**

Prasad Naik ..... Applicant.  
Vs  
Goa Coastal Zone Management and ors. .... Respondents.

Shri Nigel Costa Frias, Advocate for the applicant.  
Shri D. Shirodkar, Addl. Govt. Advocate for the respondents.

**Coram:- DAMA SESHADRI NAIDU, J.**

**Date:- 11<sup>th</sup> August 2020.**

P.C.

In para 16 of the Judgment, dt.30.07.2020, this Court recorded that the learned Additional Government Advocate had supported the interpretation the Tribunal gave to Regulation 6(d).

2. Now, the petitioner has come up with this Review Petition, contending that the learned Additional Government Advocate, in fact, went on record, besides orally submitting, that the Tribunal had wrongly interpreted the Regulation.

3. On his part, the learned Additional Government Advocate has submitted that it was, indeed, a matter of record. According to him, in the earlier round of litigation too, the Government took the same stand: The Tribunal has erred in interpreting the Regulation 6 (d).

4. Therefore, this Court's observation in paragraph 16 of the judgment about the learned AGA's submission is incorrect. To that extent, the paragraph should be changed. So, the last line in paragraph 16 of the judgment stands replaced with the following sentence: "But the Tribunal has, according to the learned Additional Government Advocate, erred in interpreting the Regulation 6 (d)."

5. That said, I reckon the Government's view on the interpretative aspect—which is, in fact, in the judicial remit—will not affect the case outcome. More particularly, in a case involving jurisdictional issues, the rival views on the merits do not matter.

6. So, except for the substituted last line in paragraph 16, the judgment stands undisturbed—its conclusion included. The Registry will amend the judgment, dt.30.07.2020, as stated above and issue a copy of the modified judgment to the parties concerned.

Review Petition stands disposed of.

**DAMA SESHADRI NAIDU, J.**

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