

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 348 OF 2020

Edcon Real Estate Developers & Ors. Petitioner

V e r s u s

State of Goa & Ors. Respondents

Mr. Ryan Menezes, Mr. Nigel Fernandes and Ms. Gina Almeida, Advocates for the Petitioner.

Mr. D. Pangam, Advocate General with Mr. P. Arolkar, Additional Government Advocate for the Respondents.

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

Date : 14th December, 2020

ORAL ORDER

1. Heard Mr. Menezes, learned Counsel for the petitioners and Mr. D. Pangam, the learned Advocate General, for the respondents.

2. The petitioners' seek the following relief by instituting the present petition :

“(a) That by a writ, order and/or direction in the nature of mandamus, and/or any other appropriate writ, order and/or direction under Article 226 of our Constitution, this Hon. Court may be pleased to direct and command the Respondents, to forthwith and immediately, and within such time, as this Hon. Court may see it fit to direct, release the connection for supply of water to the multi-dwelling building complex by the name and style of “Rio Grande” constructed in the property under chalta No. 3A, P.T.S. No. 81, of the City Survey, Panaji, sought for vide Application dated 12/03/2020 (Exhibit C (Colly));”

3. This matter was adjourned from time to time to enable the respondents to consider the aforesaid relief in this petition.

4. Today, the learned Advocate General, makes a statement that for the present, the respondents are in a position to release the connection for supplying 16 cubic metres (m³) per month for the petitioners' aforesaid project within four weeks.

5. Mr. Menezes, learned Counsel for the petitioners, states that, for the present, the petitioners will accept the release of connection for supply of

water to the extent of 16 cubic metres (m³) but liberty be granted to the petitioners to pursue the matter with the respondents for release of additional supply water. He points out that even the notings of the respondents suggest that the respondents will consider release of additional supply of water once the position of water is augmented by the respondents.

6. Accordingly, we accept the statement made by the learned Advocate General in this matter and direct the concerned respondents to release the connection for supply of water to the extent of 16 cubic metres (m³) per month within four weeks from today. We also grant the petitioners liberty to make appropriate representation or otherwise pursue the matter with the respondents for release of additional supply of water.

7. Needless to add, that such representation will have to be disposed off by the respondents in accordance with law and on their own merits.

8. This petition is disposed off in the aforesaid terms.

9. There shall be no order as to costs.

10. 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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