

IN THE HIGH COURT OF BOMBAY AT GOA**LD-VC-CW-107-2020**

Joaquim Reginald Mendes ... Petitioner
Versus
The State of Goa & Ors. ... Respondents

Mr. Preetam Talaulimar, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Mr. D. Shirodkar, Additional Government Advocate for Respondent Nos.1 and 2.

Mr. P. Faldessai holding for Mr. Chodankar, Advocate for the Central Government.

Mr. Shivan Desai, Advocate for Respondent Nos.5 to 10, 13, 16, 17 and 19.

Mr. C. Fonseca, Advocate for Respondent Nos.14 and 15.

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

Date:- 20th October, 2020

P.C.

Heard Mr. P. Talaulikar, learned counsel for the Petitioner.
Mr. D. Pangam, learned Advocate General appears alongwith Mr. D. Shirodkar, learned Additional Government Advocate for Respondent Nos.1 and 2. Mr. Faldessai, appears on behalf of Mr. Chodankar for the Central Government. Mr. Shivan Desai, learned counsel appears for Respondent Nos.5 to 10 and 13, 16, 17 and 19 and Mr. C. Fonseca, learned counsel appears for Respondent Nos.14 and 15.

2. Learned Advocate General states that the inspection of some of the vessels has taken place but further inspection will be done shortly.

3. Mr. Desai submits that the Respondents whom he represents are not using LED lights for the purpose of fishing. Mr. C. Fonseca states that he has no instructions but he too feels that the Respondents whom he represents are not using LED lights for fishing. We direct the private Respondents to refrain from using any artificial lights or LED lights for the purpose of fishing. Similarly, we restrain the Respondents from undertaking bull or pair trawling since *prima facie* these activities are prohibited.

4. The State Government as well as the Coast Guard Authority to file affidavit particularly pointing out as to when they will enforce the ban on such fishing. The affidavit to indicate the name of one of the officers representing the State of Goa, who can be held responsible in case the ban is not enforced effectively. Such affidavit to be filed on or before 4th November, 2020 and advance copy to be furnished to the learned counsel for the Petitioner.

5. We place this matter for further consideration on 4th November, 2020.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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