

ITEM NO.5

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 435/2012

GOA FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(IA No. 9702/2023 - APPROPRIATE ORDERS/DIRECTIONS AND IA No. 108415/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 09-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. Prashant Bhushan, AOR
Mr. Pranav Sachdeva, Adv.
Mr. Jantin Bhardwaj, Adv.

For Respondent(s)

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Rana Mukherjee, Adv.
Ms. Arunima Dwivedi, Adv.

Mr. Parijat Sinha, AOR
M/S. Mitter & Mitter Co., AOR
Ms. Madhu Sikri, AOR

Mr. Yashraj Singh Deora, AOR
Mr. Priyesh Mohan Srivastava, Adv.
Ms. Sonal K. Chopra, Adv.

Mr. Mohan Pandey, AOR

Mr. Ninad Laud, Adv.
Mr. Ivo D'Costa, Adv.
Mr. Jayant Mohan, AOR

Ms. Adya Shree Dutta, Adv.

Mr. E. C. Agrawala, AOR
Mr. Amit Sharma, AOR
Mr. P. S. Sudheer, AOR

Mr. Bhavanishankar V.gadnis, Adv.
Mr. A. Venayagam Balan, AOR
Mr. Vishwanath Gadnis, Adv.
Mr. Gaurav Pal, Adv.

Ms. Jyoti Mendiratta, AOR
Mr. P. V. Yogeswaran, AOR

Mr. Sumit Goel, Adv.
Mr. Abhishek Thakral, Adv.
M/S. Parekh & Co., AOR

Mr. Rameshwar Prasad Goyal, AOR
Dr. Mrs. Vipin Gupta, AOR
M/S. J S Wad And Co, AOR

Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Mr. Aniruddha Awalgaonkar, Adv.
Ms. Surbhi Kapoor, AOR
Mr. Sarthak Mehrotra, Adv.
Mr. Bhagwant Deshpande, Adv.
Mr. Poornachandiran R, Adv.
Ms. K.M.S. Sivani, Adv.
Ms. Shivani, Adv.
Mr. Ashish Mathew, Adv.

Mr. Colin Gonsalves, Sr. Adv.
Mr. Deepak Kumar Singh, Adv.
Mr. Satya Mitra, AOR

M/S. K J John And Co, AOR
Mrs. Sudha Gupta, AOR
Mr. Chander Shekhar Ashri, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. NO.108415/2024

1. The present application has been filed by the State of Goa seeking permission to auction 1.94 million tons of ores through e-auction in terms of orders of this Court.

2. It is submitted on behalf of the applicant that the Directorate of mining has carried out inspections of various sites across the State. Upon carrying out such inspections, it was noticed that an additional 1.94 million tons of ore is lying at different locations across the State. The details of which are given at Annexure A-7 (page 49 to 52).

7. Shri A.D.N. Rao, learned Amicus Curiae, fairly, states that he has no objection for allowing the application provided that the entire proceeds from the said auctions are deposited in the State treasury and not parted with by the miners.

8. The learned counsel for the Goa Foundation opposes the application.

9. Since the proceeds of the e-auctions will go to the State treasury and not the private miners, we are inclined to allow this application.

10. The statement made on behalf of the State that the amount realized would not be parted with by the miners is taken on record and is to be treated as an undertaking given to this Court.

11. The application is allowed in terms of prayer Clause (a).

I.A. Nos. 9702/2023

1. Mr. Abhay Anil Anturkar, learned counsel appearing for the applicant submits that in view of subsequent

development(s), this application has become infructuous.

2. The application is, therefore, dismissed as having become infructuous.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)