

ITEM NO.8

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16504/2011

(From the judgment and order dated 04/05/2011 in MCA No.789/2009
IN WP No.470/2006 of The HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT PANAJI)

STATE OF GOA TR.CHIEF SECRETARY

Petitioner(s)

VERSUS

MORMUGAO PORT USERS ASSN.& ORS.

Respondent(s)

(With appln(s) for impleadment, permission to bring additional
facts and documents on record)

Date: 26/09/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.
Mr. Siddharth Bhatnagar, Adv.
Mr. Pawan Kumar Bansal, Adv.
Mr. T. Mahipal, Adv.

For Intervenors/
Impleaders

Dr. Rajeev B. Masodkar, Adv.
Mr. Vikas P. thali, Adv.
Dr. Sushil Balwada, Adv.

For Respondent(s)
For RR 1/Assn.

Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Anuj Sharma, Adv.
For M/S. K.J. John & Co., Adv.

For Goa PCB

Mr. Bhavani Shankar Gadnis, Adv.
Mr. A. Venayagam Balan, Adv.

For Min. of Shipping

Mr. T.S. Doabia, Sr. Adv.

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Ms. Kiran Bharadwaj, Adv.
Mr. M.S. Doabia, Adv.
Mr. D.S. Mahra, Adv.

For Mormugao Port Co.
c/o NHAI

Ms. Momota Devi, Adv.

For
Mormugao Mun. Council

Ms. Malvika Tiwari, Adv.
Mr. Nirnimesh Dube, Adv.

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

In pursuance to the directions of this Court,
an affidavit has been filed by the Und
er Secretary (Revenue-I), Government of Goa.

Learned counsel appearing for Mormugao Port
Users' Association is agreeable to all the terms
which have been indicated in the affidavit except
for (d) and (e). It is submitted that as far as
(d) is concerned no time bound programme has been
indicated for execution of the project.

The appellant must indicate specific time wit
hin which execution of the project would
be concluded. As far as (e) is concerned,
the counsel for the respondent submitted that four

lane highway was envisaged; therefore, at
no point it should be converted into a three lane
highway. He also submitted that no time limit
has been fixed for completing this proje
ct.

Therefore, the petitioner must indicate wit
hin

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what period this project would be concluded.

....3/-

Learned counsel appearing for respondent No.
4 prays for two weeks' time to get complete
instructions and file an affidavit. Other
respondents would be at liberty to file affidavit

within two weeks from today with an advance copy to the learned counsel for the petitioner.

We would like the parties to strictly adhere to the time schedule indicated in the affidavit as far as (a) to (c) are concerned.

Notice be given dasti for the service of Mormugao Port Trust and reply by Mormugao Port Trust, if any, be filed within two weeks from the date of the receipt of the notice.

List this matter on 17th October, 2011.

[KALYANI GUPTA]
COURT MASTER

[INDU SATIJA]
COURT MASTER