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ITEM NO.2
[PART-HEARD]

COURT NO.6

SECTION PIL

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

WRIT PETITION (CIVIL) NO(s). 435 OF 2012

GOA FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With application for directions, modification of Court's order and direction/modification, intervention, interim Relief, impleadment, modification, stay/direction, clarification of Court's order, permission to file additional affidavit and office report)

WITH
WRIT PETITION) NO. 99/2013
M/S H.L. NATHURMAL V. UNION OF INDIA AND ORS.]
(With application for ex parte stay, directions and office report)

T.C. No..... @ T.P.(C) NO. 8 of 2013
[V.M. SALGAOCAR & BROTHER PVT. LTD. & ANR. V. THE SHAH COMMISSION OF INQUIRY & ORS.]
(With office report)

T.C. No..... @ T.P.(C) NO. 230 of 2013
[GOA MINING ASSOCIATION V. SHAH COMMISSION & ORS.]
(With application for ex-parte stay and office report)

IA NO. 2580 & 2669 in IA 2580 in WP(C) NO.202/1995
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]
(Recommendations of CEC in Application No. 1041 and directions)

T.C. No..... @ T.P.(C) No. 1441 of 2013
[DEEPAK M. GHARSE V. UNION OF INDIA & ORS.]
(With office report)

T.C. No..... @ T.P.(C) No. 1186 of 2013
[M/S. PANDURANG TIMBLO INDUSTRIES & ORS. V. THE SHAH COMMISSION OF INQUIRY AND ORS.]
(With office report)

T.C. No..... @ T.P.(C) No. 574 of 2013
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]
(With office report)

T.C. No..... @ T.P.(C) No. 766 of 2013
[ANA BERTA DO REGO E. FERNANDES & ANR. V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 770 of 2013
[SOCIEDADE TIMBLO IRMAOS LIMITADA & ANR. V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 776 of 2013
[SHRI ALEIXO MANUAL C.P. DA COST V. UNION OF INDIA & ORS.]
(With application for ex-parte stay and office report]

T.C. No..... @ T.P.(C) No. 836 of 2013
[KUNDA RAGHUVIR GHARSE V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

T.C. No..... @ T.P.(C) No. 864 of 2013
[NOOR MOHD. ABDUL KARIM & ANR. V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

T.C. No..... @ T.P.(C) No. 866 of 2013
[KAMALINI RAMAKANT PAIGUINKAR & ORS. V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

T.C. No..... @ T.P.(C) No. 869 of 2013
[M.S BADDRUDINHASSAINBHAI MAVANI V. UNION OF INDIA & ORS.]
(With application for ex parte stay and office report)

WRIT PETITION) NO. 184 of 2013
[RAJESH P. TIMBLOO V. UNION OF INDIA & ORS.]
(With application for permission to file additional documents and office report)

Date: 25/09/2013 These Petitions/Applications were called on
for hearing today.

CORAM :
HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

AMICUS CURIAE

Mr. Harish N. Salve, Sr. Adv. (NP)
Mr. Uday Umesh Lalit, Sr. Adv. (NP)
Mr. A.D.N. Rao, Adv.
Mr. Siddharth Chowdhury, Adv.
Mr. M.K. Jiwrajika, Member Secretary
Central Empowered Committee

Mentioned IA NO. 1000 & other
connected applns. Mr. Ranjit Kumar, Sr. Adv.
Mr. A.D.N. Rao, Adv.(A.C.)

For Petitioner (S)
In WP 435 Mr. Prashant Bhushan, Adv.
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Mr. Pranav Sachdeva, Adv.

In WP 99 Mr. Amit Sharma, Adv.
Mr. Kunal A. Cheema, Adv.

In WP 184 Mr. Rohit M. Alex, Adv.
Mr. P.S. Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.
Mr. Anshul Gupta, Adv.

In Rest of the TPs Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Rayan, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In TP 1441 Mr. R.A. Dada, Sr. Adv.
Mr. Yashraj Singh Deora, Adv.

In TP 574 For M/s Mitter & Mitter Co., Advs.

In TP 1186 Mr. Ranjit Kumar, Sr. Adv.
Mr. Nitin Sardesai, Adv.
Mr. Santosh Paul, Adv.
Mr. Arvind Gupta, Adv.
Mr. Piyush Sharma, Adv.
Ms. Savita Singh, Adv.
Mr. Santosh S. Anurlekar, Adv.
Mr. Sanmit Bodke, Adv.
Mr. Harish Pandey, Adv.

For Applicant (s)
In IA 1, 35 & 76
Goa Foundation Mr. Prashant Bhushan, Adv.
Ms. Norma Alvares, Adv.
Mr. Pranav Sachdeva, Adv.

In IA 3
Goa Mining Labour Mr. Colin Gonsalves, Sr. Adv.
Welfare Union Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.

In IA 5 & 6 Mr. Amit Sharma, Adv.
M/s HL Nathurmal Mr. Kunal A. Cheema, Adv.

In IA 7 & 8
Goa Mining Assn. Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Advs.

In IA 10 & 72 Mr. Mukul Rohtagi, Sr. Adv.
Sesa Goa Ltd. Mr. Ninad Laud, Adv.
Ms. Meenakshi Chatterjee, Adv.
Mr. Jayant Mohan, Adv.

In IA 11, 12 & 60 Ms. Kiran Suri, Sr. Adv.
Cose Costa & Sons Mr. S.J. Amith, Adv.
Mr. Nakibur Rahman Barbhuiya, Adv.
Ms. Ritika Gambhir, Adv.
Dr. (Ms.) Vipin Gupta, Adv.

In IA 13, 14 & 59 Mr. R.A. Dada, Sr. Adv.
Sociedade Timblo Mr. Yashraj Singh Deora, Adv.
Irmaos Limitada Ms. Anupama Dhurve, Adv.
Mr. Abhishek Puri, Adv.
Mr. Parag Rao, Adv.
Ms. Swati Kamat, Adv.
Mr. Linette Rodrigues, Adv.
For M/s. K.J. John & Co., Advs.

In IA 15 & 16 Ms. Triveni Poteker, Adv.
Garge Barge Owners' Mr. Chandra Shekhar Ashri, Adv.
Assn.

In IA 17 & 18 Mr. K.K. Venugopal, Sr. Adv.
Aleixo Manual Mr. Chander Uday Singh, Sr. Adv.
C.P. Costa Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.

In IA 19, 20 & 21 Mr. Shikhil Suri, Adv.
Salvia Oliver Mr. Shiv Kumar Suri, Adv.
Rodrigues Mr. Chandrika Prasad Mishra, Adv.

In IA 22 & 77 Mr. Shikhil Suri, Adv.
Sudip N. Tamankar Mr. Shiv Kumar Suri, Adv.
Mr. Chandrika Prasad Mishra, Adv.
For Mr. P.V. Yogeswaran, Adv.

In Ias 23-33 Mr. K.K. Venugopal, Sr. Adv.
Ramcanta Visnum, Mr. Chander Uday Singh, Sr. Adv.
Sociedade Sir Maha Mr. Pratap Venugopal, Adv.
Laxmi, Shaikh Ms. Surekha Raman, Adv.
Abdul Kuddus Mr. Varun Singh, Adv.
Com. Mineraria Pro. Ms. Meenakshi Chauhan, Adv.
Ltda. Bhanudas, Mr. Anuj Sarma, Adv.
Emco, Shashikala, Mr. Gaurav Nair, Adv.
Atchuta Visnum,
Rajaram Bandekar
Mines, Smt. Shakuntala
bai & Orient Goa

In IA 38 Mr. M.N. Krishnamani, Sr. Adv.
Dr. Prafulla R. Mr. Bhavani Shankar Gadnis, Adv.
Hede Mines Mr. A. Venayagam Balan, Adv.

In IAs 39-40 Mr. K.K. Venugopal, Sr. Adv.
Motiram Data Mr. Chander Uday Singh, Sr. Adv.
Goundalkar Mr. Pratap Venugopal, Adv.
Ghanshyam Ms. Surekha Raman, Adv.
Sardesai Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 41, 71 & 72
M/s. Bandekar Bros Mr. C.A. Sundaram, Sr. Adv.
Pvt. Ltd. Mr. Parijat Sinha, Adv.
Ms. Reshmi Rea sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.

In IA 42
M/s Madachem Bat Mr. C.A. Sundaram, Sr. Adv.
Mines Pvt. Ltd. Mr. Parijat Sinha, Adv.
Ms. Reshmi rea Sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.

In IA 43 & 44
Village Panchayat of
Kirlapal-Dabal & Ors.
Ms. Madhu Sikri, Adv.

In IA 45 Mr. K.K. Venugopal, Sr. Adv.
M/s Baddruddin Mr. Chander Uday Singh, Sr. Adv.
Hussainbhai Mavani Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Advs.

In IA 46
Kamalini Ramakant
Painguinkar & Ors. Mr. K.K. Venugopal, Sr. Adv.

Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Advs.

In IA 47

Pandurang Timblo Inds. & Anr. Mr. Ranjit Kumar, Sr. Adv.
Mr. Nitin Sardesai, Adv.
Mr. Santosh Paul, Adv.
Mr. Arvind Gupta, Adv.
Mr. Piyush Sharma, Adv.
Ms. Savita Singh, Adv.
Mr. Santosh S. Anurlekar, Adv.
Mr. Sanmit Bodke, Adv.
Mr. Harish Pandey, Adv.

In IA 48 & 49

Rajesh P. Mr. Rohit M. Alex, Adv.
Mr. P.S. Sudheer, Adv.
Timblo Mr. Rishi Maheshwari, Adv.
Mr. Anshul Gupta, Adv.

In IA 50

M/s Sarda Energy & Minerals Ltd. Mr. Shivam Sharma, Adv.
Mr. Mohan Pandey, Adv.

In IA 51

M/s Noor Mohd. Abdul Karim & Anr. Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 52

Ramesh Sajo Gauns & Ors. Mr. Shikhil Suri, Adv.
Mr. Shiv Kumar Suri, Adv.
Mr. Chandrika Prasad Mishra, Adv.

In IA 53

Girish M. Tendulkar & Ors. Mr. Sriram Parakkat, Adv.
Mr. Ishaan George, Adv.
Mr. Vishnu Shankar Jain, Adv.
Mr. Girish Tendulkar, Adv.
Ms. Sudha Gupta, Adv.

In IA 54

Gomantak Inv. Pvt. Ltd. Ms. Aparna Singhal, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.

In IA 55 & 56

Damodar Mangalji & Co. Ltd. Mr. Ninad Laud, Adv.
Ms. Aparna Singhal, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.

In IA 57

Geetabala Manohar Naik Parulekar Mr. Dhruv Mehta, Sr. Adv.
Mr. Yash Raj Deora, Adv.
Mr. Anupam Dhurve, Adv.
Ms. Jayashree Wad, Adv.

Mr. Ashish wad, Adv.
Ms. Tamali Wad, Adv.
Ms. Kanika Baweja, Adv.
Ms. Niharika Bapna, Adv.
Ms. Maria Fatima Noronha, Adv.
For M/s J.S. Wad & Co., Advs.

In IA 58

Ana Berta Do

Rego E. Fernandes

Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s K.J. John & Co., Advs.

In IA 61 & 62

G.N. Agrawal

Mr. Dhruv Mehta, Adv.
Mr. Sameer Athyankar, Adv.
Mr. Yashraj Singh Deora, Adv.
Ms. Maria Fatima Noronha, Adv.
Mr. Abhishek Puri, Adv.
Mr. Anupam Dhurve, Adv.
Mr. M.P. Jha, Adv.

In IA 63, 64 & 65

Chowgule & Co.

Pvt. Ltd.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Sumit Goel, Adv.
Ms. Sarab Jot Walia, Adv.
For M/s Parekh & Co., Advs.

In IA 66 & 67

Hardesh Ores

Pvt. Ltd.

Mr. R.A. Dada, Sr. Adv.
Mr. Rajesh Kumar, Adv.
Ms. Anupama Dhurve, Adv.
Mr. Abhishek Puri, Adv.
Mr. Mohit Abraham, Adv.

In IA 68

Goa Mining

Foundation

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Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 69 & 70

Timblo Enterprises

Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 74

Crisna Mucunda

Camotim

Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 75

Jaisinh Maganlal Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s K.J. John & Co., Advs.

In IA 78

Shantilal Kushaldas Ms. Kiran Suri, Sr. Adv.
& Bros P. Ltd. Dr. (Ms.) Vipin Gupta, Adv.
Mr. S.J. Amith, Adv.
Ms. Ritika Gambhir, Adv.
Mr. Nakibur Rahman Barbhuiya, Adv.

In IA 2580 & 2669

Mr. C.A. Sundaram, Sr. Adv.
Mr. Sumit Goel, Adv.
Ms. Sarab Jot Walia, Adv.
For M/s. Parekh & Co., Advs.

Mr. Colin Gonsalves, Sr. Adv.
Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.

For Respondent (s)

State of Goa Mr. Arvind Datar, Sr. Adv.
Mr. Siddharth Bhatnagar, Adv.
Mr. Pawan Kumar Bansal, Adv.
Mr. T. Mahipal, Adv.

Union of India

M/o Env. & Forests Mr. Mohan Parasaran, SG.
Mr. Rakesh Kumar Khanna, ASG.
Mr. K. Radhakrishnan, Sr. Adv.
Mr. D.L. Chidananda, Adv.
Ms. Asha G. Nair, Adv.
Ms. Kiran Bhardwaj, Adv.
Ms. Seema Rao, Adv.
Mr. Ashwin Kumar D.S., Adv.
Mr. Anirudh Tanwar, Adv.
Ms. Gunwant Dara, Adv.
Ms. Sukhbeer Kaur Bajwa, Adv.
Mr. Shreekant N. Terdal, Adv.
Mr. D.S. Mahra, Adv.

Union of India

M/s Mines & Min. Mr. Mohan Parasaran, SG.
Mr. Ritin Rai, Adv.
Mr. D.L. Chidananda, Adv.
Mr. Shreekant N. Terdal, Adv.

RR 5

Mr. Arvind Datar, Sr. Adv.
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Mr. Abhijat P. Medh, Adv.

RR 6-Goa Min. Lab. Mr. Colin Gonsalves, Sr. Adv.

Welfare Union Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.

For RR 7-Chowgule Mr. C.A. Sundaram, Sr. Adv.

& Co. Pvt. Ltd. Mr. Sumit Goel, Adv.
Ms. Sarab Jot Walia, Adv.
For M/s Parekh & Co., Advs.

For RR 8-HL Nathurmal

Mr. Amit Sharma, Adv.

Mr. Kunal A. Cheema, Adv.

For RR 9-Goa Min. Assn. Soc. Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Adv.

For RR 10- M/s Sesa Goa Ltd. Mr. Mukul Rohtagi, Sr. Adv.
Mr. Ninad Laud, Adv.
Ms. Meenakshi Chatterjee, Adv.
Mr. Jayant Mohan, Adv.

For RR 11-Cosme Cose Costa & Sons Mr. Kiran Suri, Sr. Adv.
Mr. S.J. Amith, Adv.
Mr. Nakibur Rahman Barbhuiya, Adv.
Ms. Ritika Gambhir, Adv.
Dr. (Ms.) Vipin Gupta, Adv.

For RR 12- Socie. Tim.Irmaos Lim. Ms. Anupama Dhurve, Adv.
Mr. Abhishek Puri, Adv.

For Rr No. 13 Goa Barge Owners Assn. Ms. Triveni Potekar, Adv.
Mr. Chandra Shekhar Ashri, Adv.

For RR 14 For M/s Mitter & Mitter Co., Adv.

For RR 15-27 Mr. K.K. Venugopal, Sr. Adv.
Mr. Chander Uday Singh, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Adv.

For RR 28 -M/s. Bandekar Bros Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.
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Ms. Reshmi Rea sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.

For RR 30 - Dr. Prafulla Hede Mines Mr. M. N. Krishnamani, Sr. Adv.
Mr. Mr. Bhavani shankar Gadnis, Adv.
Mr. A. Venayagam Balan, Adv.
Mr. S.M. Walawaikar, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

For RR 31 & 32 Mr. K.K. Venugopal, Sr. Adv.
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Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
Ms. Meenakshi Chauhan, Adv.
Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
For M/s. KJ John & Co., Adv.
Mr. S.M. Walawaikar, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

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

IA NO. 1000 in WP(C) NO.202 of 1995 and other connected applications in WP(C) NO. 460 of 2004 be listed along with these matters.

Mr. Arvind Datar, learned Senior Counsel for the State of Goa resumed his arguments at 10:45 a.m. and was on his legs when the Court rose for the day leaving the matters part-heard.

[KALYANI GUPTA]
COURT MASTER

[G. SUDHAKARA RAO]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER