

vii
ITEM NO.1
[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 intervention, interim Relief, 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. 136/2013 @ 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.133/2013 @ T.P.(C) NO. 230 of 2013
[GOA MINING ASSOCIATION V. SHAH COMMISSION & ORS.]
(With application for ex-parte stay and office report)

T.C. No.131/2013 @ T.P.(C) No. 1441 of 2013
[DEEPAK M. GHARSE V. UNION OF INDIA & ORS.]
(With office report)

T.C. No.132/2013 @ 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.134/2013 @ 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.135/2013 @ 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.138/2013 @ 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)

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)

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)

IA NO. 1000 with 982-984, 1026-1028, 1123-1124, 1197-1199, 1210-1211, 1250-1251, 1512 and 1412 in 887 with 1992 in WP(C) No. 202 of 1995
[T.N. GODAVARMAN THIRUMULPAD V. UNION OF INDIA & ORS.]
(For directions, recommendation of CEC, impleadment and exemption from filing official translation)

SLP(C)... CC 6594/2007
[STATE OF M.P., DEPTT. OF MINR. RES. TR. OIC. V. RAJEEV GOSWAMI & ORS.]
(With application for condonation of delay in filing SLP and office report)
WITH
IA Nos. 170-175 in WP(C) NO.460/2004
[GOA FOUNDATION V. UNION OF INDIA]
(For direction and impleadment)

IA NOS. 176-178 in WP(C) NO.460/2004
[GOA FOUNDATION V. UNION OF INDIA]
(For impleadment, direction, permission to file additional documents)

Date: 29/10/2013 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

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In WP 184 Mr. Rohit M. Alex, Adv.
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Welfare Union Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.

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M/s HL Nathurmal Mr. Kunal A. Cheema, Adv.

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Mr. Anuj Sarma, Adv.
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In IA 10 & 72 Mr. Mukul Rohtagi, Sr. Adv.
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In IA 13, 14 & 59
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In IA 22 & 77 Mr. Shikhil Suri, Adv.
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Mines, Smt. Shakuntala
bai & Orient Goa

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Ghanshyam Ms. Surekha Raman, Adv.
Sardesai Mr. Varun Singh, Adv.
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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 Pvt. Ltd. Mr. C.A. Sundaram, Sr. Adv.
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
Mines Pvt. Ltd.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Parijat Sinha, Adv.
Ms. Reshmi ree Sinha, Adv.
Mr. Anil Kumar Mishra, Adv.
Mr. S.C. Ghosh, Adv.

In IA 43 & 44

Village Panchayat of

Kirlapal-Dabal

Mr. Ravi Shankar Prasad, Sr. Adv.

Mr. Saket Sikri, Adv.
Mr. Prannoy dey, Adv.
Mr. Stephanie Sohanane, Adv.
Ms. Madhu Sikri, Adv.

In IA 45

M/s Baddruddin

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Hussainbhai Mavani

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Ms. Surekha Raman, Adv.
Mr. Varun Singh, Adv.
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Kamalini Ramakant

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Pandurang Timblo

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In IA 48 & 49

Rajesh P.

Timbloo

Mr. Rohit M. Alex, Adv.

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Mr. Anshul Gupta, Adv.

In IA 50

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Mr. Braj Kishore Mishra, Adv.

Mr. Shivam Sharma, Adv.

Mr. Vikram Patralekh, Adv.

Mr. Mohan Pandey, Adv.

In IA 51

M/s Noor Mohd.

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Mr. Gaurav Nair, Adv.
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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.
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Mr. Yashraj Singh Deora, Adv.
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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. Rafique A. Dada, Sr. Adv.
Ms. Linete Rodriqques
Mr. Rajesh Kumar, Adv.

Ms. Anupama Dhurve, Adv.
Mr. Abhishek Puri, Adv.
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In IA 68
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Foundation

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Mr. Gaurav Nair, Adv.
For M/s. K.J. John & Co., Advs.

In IA 69 & 70

Timblo Enterprises

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In IA 74

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In IA 75

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In IA 78

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In IA 79

In IA 81 & 82

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In IA 83

In IA 2580 & 2669

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For RR 8-HL Nathurmal
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For M/s Mitter & Mitter Co., Advs.

For RR 15-27
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For RR 28 -M/s.
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Mr. Anuj Sarma, Adv.
Mr. Gaurav Nair, Adv.
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In IA 1412

For State of Rajasthan

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UPON hearing counsel the Court made the following

O R D E R

Mr. A.N.S. Nadkarni, learned Advocate General resumed his submissions at 10:45 a.m. and concluded at 2:40p.m. Thereafter, Mr. Colin Gonsalves, learned senior counsel for the Goa Mining Labour Welfare Union; Ms. Triveni Potekar, learned counsel for Goa Barge Owners' Association and Sough Goa Progressive Truck Owners' Association addressed the Court for fifteen minutes each. Thereafter Mr. C.U. Singh, learned senior counsel addressed the Court 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