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vinita

IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION (SUO MOTU) NO.1 OF 2026
WITH
PUBLIC INTEREST LITIGATION WP NO.3223 OF 2025 (F), CRIMINAL WRIT PETITION NO.207 OF 2026, CRIMINAL MISC. APPLICATION NO.101 OF 2026, MISC.CIVIL APPLICATION NO.983 OF 2026 (F)

PUBLIC INTEREST LITIGATION (SUO MOTU) NO.1 OF 2026

HIGH COURT ON ITS OWN MOTION
(TRAGEDY TAKEN PLACE AT ARPORA IN
A TRAGIC FIRE INCIDENT) ... PETITIONER

Versus

STATE OF GOA THROUGH THE CHIEF
SECRETARY AND 57 ORS ... RESPONDENTS

WITH

PUBLIC INTEREST LITIGATION WP NO.3223 OF 2025 (F)

AISHWARYA ARJUN SALGAONKAR ... PETITIONER

Versus

THE STATE OF GOA THR ITS CHIEF
SECRETARY AND 12 ORS ... RESPONDENTS

WITH

CRIMINAL WRIT PETITION NO.207 OF 2026

VIJAYA LAKSHMI KHOSLA THR POA
MOHAMMAD IQBAL MULLA AND ANR ... PETITIONERS

Versus

DISTRICT MAGISTRATE NORTH GOA AND
6 ORS ... RESPONDENTS

WITH

CRIMINAL MISC. APPLICATION NO.101 OF 2026

VIJAYA LAKSHMI KHOSLA THR POA
MOHAMMAD IQBAL MULLA ... APPLICANTS

Versus

DISTRICT MAGISTRATE NORTH GOA AND
6 ORS ... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.983 OF 2026 (F)

HIGH COURT ON ITS OWN MOTION ... APPLICANT

Versus

STATE OF GOA THROUGH THE CHIEF

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SECRETARY AND 57 ORS ... RESPONDENTS

Mr. Terence Sequeira and Mr Yash Kunde, Advocate - Amicus Curiae.
Mr. Deep Shirodkar, Additional Government Advocate for Respondent Nos.1, 2, 4 to 13, 49 and 50.
Mr. Hanumant D. Naik, Advocate for Respondent No.14.
Mr. Somnath Karpe with Mr. Anand Shirodkar and Ms Samiksha Vaigankar, Advocates for Respondent No.17 and for Respondent Nos. 3 and 5 in WPCR No.207/2026.
Mr. Devidas Pangam, Advocate General with Ms Maria Correia, Addl. Govt. Advocate for Respondent nos.1 to 5 and 8 to 11 in PILWP(F)3223/2025.
Mr. Nachiket Naik, Advocate (through VC) for Respondent No.18.
Mr. Prayash Shirodkar, Advocate for Respondent No. 20.
Ms. Natasha Rai, Advocate for Respondent Nos.23 & 36.
Mr. P. A. Kamat, Advocate with Ms. Pranita Gawandi for Respondent No. 26, 27, 30, 31, 44 to 47.
Mr. Omkar V. Kulkarni, Advocate for Respondent No.29
Ms. M. Fernandes and Ms. Dishanka Vernencar, Advocate for Respondent No.33.
Mr. Zeller D'Souza, Advocate for Respondent No.35 through VC.
Mr Surendra Desai, Senior Advocate with Mr. Parikshit Sawant, Advocate for Respondent No.26 and for Respondent No.7 in PILWP No.3223/2025/F.
Mr Rohan P. Desai with Mr. Ashay Priolkar, Advocates for the Respondent Nos.54(A).
Mr S. S. Kantak, Senior Advocate with Mr. Parag Rao, Ms. Neha Kholkar, Mr Akhil Parrikar and Ms S. Drago, Advocates for Respondent No.53, 53(A) and 54.
Mr. Shivan Desai with Ms. Riya Amonkar and Ms Madhuja Vernekar, Advocates for Respondent Nos.56, 57.
Mr Jatin Ramaiya with Mr. Omkar Thakur, Advocates for Respondent No.58.
Mr. Manish Salkar, Government Advocate for Respondent No. 3 through VC and for Respondent no.6 in PILWP 3224 of 2025/F.
Ms A. Agni, Senior Advocate with Ms A. Rawool and Mr Sharmak Mahajan, Advocates for the Applicant in MCA No.983/2026/F
Mr Eeshan Jacques, Addl. Govt.Advocate holding for Mr.

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Neehal Vernekar, Additional Government Advocate for Respondents No.1, 2, 4, 6 and 7 in WPCR No.207/2026
Mr. B. Oliveira, Advocate for Respondent No. 38 and holding for Mr. V. Vaz, Advocate for Respondent No. 40.
Mr. Ivan Santimano, Advocate for Respondent No. 42 to 47.
Ms. Leona Barreto (through VC) and Mr. Byron Rodrigues, Advocates for Respondent-Village Panchayat of Colva, (Through V.C.)
Ms V. Parab, Advocate for Respondent No. 32.
Mr. Rishikesh Sahakari, Advocate for Respondent No. 43 and h/f. Mr.B. Oliveira, Advocate for Respondent No.38.
Ms. Prachi Sawant, Advocate under Legal Aid Scheme for the Victims.
Mr. B. Fatarpekar, Advocate for Respondent No.28.
Mr. Sahil Sardessai, Advocate for Respondent No.37.
Mr. Ankur Kumar, Advocate for the Petitioner in PILWP No.3223/2025(F).
Mr A. F. Diniz, Senior Advocate with Mr Anugrah Ghatwal, Advocate for the Respondent No. 51.
Mr V. Daniel, Advocate for the Respondent No.18.

CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.

DATED :- 2nd November, 2026

P.C.

The learned Advocate appearing for the victim submits that compensation of Rs.50 lakhs may be granted to each of the victim.

2. The aforesaid request is opposed by the learned counsel appearing for Respondent No. 53A. On instructions, Mr. Kantak, learned Senior Counsel, submits that, in addition to the ex gratia amount of Rs. 2 lakhs already paid by Respondent No. 53A LLP, comprising its partners, a further amount of Rs. 20 lakhs shall be

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deposited in this Court in respect of each of the employees of the said Respondent.

3. On further instructions, Mr. Kantak makes a statement that, in respect of the five persons who were not employees of the said Respondent but were tourists present at the night club on the date of the incident, namely, late Ms. Saroj Joshi, Ms. Vinod Kumar, Ms. Anita Joshi, Ms. Kamala and Ms. Md. Ishaq, an amount of Rs. 20 lakhs each shall also be deposited in this Court.

4. The learned Senior Counsel further submits that the aforesaid deposits are being made without prejudice to the rights and contentions of Respondent No. 53A.

5. On instructions, learned counsel for the Victims appointed through legal aid opposes the amount of Rs.20 lakhs and claims that fair compensation should be an amount not less than Rs.50 lakhs.

6. Insofar as the claims of 20 employees pending before the Labour Commissioner under the Workmen's Compensation Act are concerned, the amounts deposited pursuant to this order shall be adjusted against any final award or order that may be passed in the said proceedings.

7. The learned Senior Counsel further submits that, insofar as four out of the five tourists named hereinabove are concerned, complaints are pending before the District Consumer Disputes Redressal Forum, Haryana. Accordingly, the amounts deposited as ex gratia compensation in respect of the said four persons shall also

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be adjusted against any amount that may be awarded pursuant to orders passed in those proceedings.

8. Insofar as the victim, who has not initiated any proceedings till date, and whose family may initiate appropriate proceedings hereafter, Respondent No. 53A has no objection to the release of the ex gratia amount deposited in respect of such victim, subject to such orders as may be passed in the proceedings that may be instituted by the victim's family.

9. On further instructions, Mr. Kantak states that the aforesaid amount of Rs. 20 lakhs in respect of each person shall be deposited in this Court in the following instalments:

1. Rs. 5 lakhs on or before 16.11.2026;

2. Rs. 5 lakhs on or before 07.12.2026; and

3. Rs. 10 lakhs on or before 07.02.2027.

10. The statement made by the learned Senior Counsel is accepted by the Court. The aforementioned amounts shall be deposited by the Respondent No.53A within the timelines specified above, as an ex-gratia payment. It is clarified that, in the event any award or order passed in the proceedings initiated by any of the aforesaid persons directs payment of compensation lesser than the amount directed to be deposited under this order, the ex gratia amount deposited pursuant to this order shall not, under any circumstances, be refunded to Respondent No. 53A.

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11. List the matter on 02.12.2026.

AMIT S. JAMSANDEKAR, J. **VALMIKI MENEZES, J.**