

**IN THE HIGH COURT OF BOMBAY AT GOA**

**CRIMINAL WRIT PETITION NO. 9 OF 2015**

COMMUNIDADE OF SERULA, REP. BY ITS  
ATTORNEY MR. AGNELO LOBO.

... Petitioner

Versus

STATE OF GOA THROUGH ITS CHIEF  
SECRETARY AND 2 ORS.,

... Respondents

Mr. Yogesh V. Nadkarni, Advocate for the petitioner.

Mr. S. R. Rivankar, Public Prosecutor for the respondents No.1 and  
2.

Mr. A. N. S. Nadkarni, Advocate General with Ms. P. Bhandari,  
Additional Govt. Advocate for the respondent No.3.

Coram:- F. M. REIS &  
K. L. WADANE, JJ.

Date:- 27th July, 2015

P.C.:

Heard Mr. Y.V. Nadkarni, learned Counsel appearing for the petitioner, Mr. S. R. Rivankar, learned Public Prosecutor appearing for the respondents No.1 and 2 and Mr. A.N.S. Nadkarni, learned Advocate General appearing for the respondent No.3.

2. The above writ petition, inter alia, takes exception to the conduct of the respondents in complying with the directions issued by this Court by order dated 13th October, 2014 in Criminal Writ Petition No.89 of 2014.

3. Mr. Y.V. Nadkarni, learned Advocate appearing for the

petitioner has pointed out that despite of the directions in the said order at paras 3 and 4 that the respondent No.3 shall examine the requisitions for payments made by the petitioner of the salaries and other day-to-day expenditure within a specific period, no such directions were complied with by the respondent No.3. The learned Counsel further points out that in view of such conduct on the part of the respondents, salaries of the concerned officials, as well as the payments to be effected for day-to-day functions of the petitioner are affected. The learned Counsel, as such, submits that directions be issued to ensure compliance of the said Order dated 13th October, 2014.

4. On the other hand, Mr. A.N.S. Nadkarni, learned Advocate General has pointed out that after the approval of the Administrator, the concerned Police Officials had noted that the payments towards legal expenses were not covered by the directions issued in the order dated 13th October, 2014. The learned Advocate General further submits that otherwise the directions are being complied in terms of the said order. The learned Advocate General has also pointed out that some part of the legal expenses sought to be paid by the petitioner are not in accordance with the relevant provisions of law.

5. Without going into the correctness of the said contentions, taking note that the respondents have accepted that they would comply with the directions issued by this Court in terms of the said

order dated 13th October, 2014, we find that no further directions with that regard are necessary. However, with regard to the payments of legal expenses sought to be paid by the petitioner, the respondent No.3/the Administrator of Comunidades, North Zone shall re-examine the said aspect and approve the legal fees payable in terms of law.

6. With the above directions, the petition stands disposed of.

K. L. WADANE, J.

F. M. REIS, J.

ssm.