

IN THE HIGH COURT OF BOMBAY AT GOA.
MISCELLANEOUS CIVIL APPLICATION NO.419/2015.
IN
FIRST APPEAL NO. 46 OF 1998.

SMT. USHAL ANIL GHODE AND 5 ORS.Applicants.

Versus
STATE OF GOA THROUGH THE
DY. COLLECTOR AND SDO AND ANR.Respondents.

Ms. S. Chodankar, Advocate for the applicants.

Ms. Susan Linhares, Additional Government Advocate for the respondent no.1.

Coram:- K. L. WADANE, J.
Date-15th, October, 2015.

ORDER:

Heard Ms. S. Chodankar, learned Advocate appearing for the applicants and Ms. Susan Linhares, learned Additional Government Advocate appearing for the respondent no.1.

2. This is an application filed by the original claimants seeking permission to withdraw the compensation deposited by the State.

3. By order dated 27.10.1997, learned District was pleased to grant compensation at the rate of Rs.147/- per square metre. In an appeal filed by the State, this Court has modified the order and fixed compensation at the rate of Rs.132/- per

square metre.

4. Subsequently the State filed an Special Leave to Appeal(CC) No. 8221/8222 of 2004 wherein the Hon'ble Apex Court was pleased to stay the payment of enhanced amount of compensation to the applicants by order dated 24.9.2004. By Order 5.11.2014, the Hon'ble Supreme Court of India was pleased to dismissed the appeal filed by the State thereby upholding the order passed by this Court, therefore, the applicants have prayed to pay the compensation of Rs.8,56,105/-.

5. In view of the order passed by this Court in First Appeal No. 46/1998, Registry is directed to pay amount of compensation with accrued interest to the applicants and to refund the balance amount with interest accrued thereon to the State. Hence, the application is allowed.

6. Application stands disposed of.

K. L. WADANE,J.

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