

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 484 OF 2015

IN

FIRST APPEAL NO. 111 OF 2002

MR.AUGUSTIN LUIS JOSE FERNANDES
(DEC) THROUGH LRS.,

... Applicant

Versus

SPECIAL LAND ACQUISITION OFFICER
(N) AND ANR.,

... Respondents

Mr. Joaquim Godinho, Advocate for the applicants.

Mr. M. Salkar, Government Advocate for the respondents.

Coram:- K. L. WADANE, J.

Date:- 13th August, 2015

P.C.

Heard Mr. J. Godinho, learned counsel appearing for the applicants and Mr. M. Salkar, learned Government Advocate appearing for the respondents.

2. During the pendency of the First Appeal, the applicant no.1 died. Therefore, his legal heirs are brought on record as applicant nos. 1(a) to 1(f).

3. During the course of the arguments, Mr. Godinho, learned counsel has submitted that the amount of compensation of the award has been deposited before this Court. During the pendency of the appeal, the applicant no.1 died. Therefore, there was inventory

proceedings between the legal heirs of the applicant no.1 and the amount under award i.e. the amount of compensation is allotted to the one of the legal heirs namely Thomas Fernandes, applicant no.1(e). Therefore, according to Mr. Godinho, the applicant no.1(e) is entitled to receive the entire amount of compensation.

4. Mr. M. Salkar, learned Government Advocate appearing for the respondents has no objection to pay such amount to the applicant no.1(e).

5. Perused the inventory proceedings, from which it is seen that the subject amount is allotted to the applicant no.1(e) in the inventory proceedings. Hence, the applicant no.1(e) is entitled to receive the said amount of compensation. Hence, the Registry is directed to pay such amount after due verification and as per the award passed by this Court.

6. The application stands disposed of accordingly.

K. L. WADANE, J.

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