

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 773 OF 2015

IN

FIRST APPEAL NO. 258 OF 2009

MR.SADANAND ALDONKAR.

... Applicant

Versus

STATE OF GOA, THROUGH CHIEF
SECRETARY AND ANR.,

... Respondents

Mr. Amey Jagdish Sinai Kakodkar, Advocate for the Applicant.
Ms. Susan Linhares, Additional Government Advocate for the
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 29th October, 2015

P.C:

Heard Mr. Kakodkar, the learned Counsel for the applicant and
Ms. Linhares, the learned Additional Government Advocate for the
respondents.

2. This application is for modification of the decree dated
12.09.2015 passed before the Lok Adalat in First Appeal No.
258/2009.

3. It is undisputed that in the trial Court, the suit filed by the
applicant was partly decreed with costs and in appeal, the parties had
arrived at settlement in which the First Appeal No. 258/2009 was
settled before the Lok Adalat. The only contention is that the costs,
as awarded before the trial Court are not included in the appellate

decree in all probability out of inadvertence. It is also undisputed that the amount of Rs.12,630/- would be the proportionate costs before the trial Court.

4. The learned Additional Government Advocate for the respondents has no objection for modification of the decree, in as much as it is a matter of record that the suit was partly decreed with costs.

5. In that view of the matter and by consent of the parties, the Civil Application is allowed as prayed. The decree be corrected accordingly.

6. The application is disposed of.

C. V. BHADANG, J.

EV