

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 288 OF 2012

IN

FIRST APPEAL NO. 103 OF 2001

DOMINGOS JOSE CHRISTIANO FERNANDES
(DEC.) THROUGH LR'S

... Applicant

Versus

DY. COLLECTOR (L.A.) & ANR.

... Respondent

Mr. J. Abreu Lobo, Advocate for the applicant/original respondent No.5.

Mr. M. Salkar, Government Advocate for the original appellants.

Mr. J Vaz, Advocate for the original respondents No.1 to4 and 6.

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

Date:- 28th April, 2015

P.C.

Heard Mr. J. Lobo, learned Counsel appearing for the applicant and Mr. M. Salkar, learned Government Advocate appearing for the respondents/original appellants and Mr. J. Vaz, learned Counsel appearing for the respondents No.2, 3, 4 and 6.

2. Upon hearing of the learned counsel for the parties, we find that the application filed by the applicant is for withdrawal of the compensation awarded by this Court while disposing of the First Appeal No.103 of 2011 by Judgment dated 5 July 2010. There are rival claims between the applicant and respondents No.1(b) to 1(i) with regard to quantum of the amount payable to respective parties. In such circumstances, we find it appropriate to direct the Registrar

(Judicial) to quantify the amount payable to the applicants on one hand and respondents No.1(b) to 1(i) on the other hand, after hearing the learned counsel appearing for the respective parties. After such amounts are quantified, the Registrar (Judicial) shall permit the parties to withdraw such amounts with respective interest accrued thereon. Application stands disposed of accordingly. Liberty to the parties to apply.

K. L. WADANE, J.

F. M. REIS, J.

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