

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 63 OF 2016

IN

FIRST APPEAL NO. 77 OF 2015

SHRI.SHRIKANT P. SHIRODKAR.

... Applicant

Versus

THE MANAGING DIRECTOR, GOA STATE
INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD.,

... Respondent

Mr. Pavithran AV, Advocate for the Applicant.

Mr. P. Dangui, Addl. Government Advocate for the Respondent.

Coram:- K. L. WADANE, J.

Date:- 4th March, 2016

P.C.

Heard Mr. Pavithran AV, learned Counsel appearing for the Applicant and Mr. P. Dangui, learned Addl. Government Advocate, appearing for the Respondent.

2. The present Application is filed by the Applicant, the original claimant, for withdrawal of the amount of compensation which have been deposited before this Court.

3. The learned Counsel appearing for the Applicant states that the Petitioner is ready to give an undertaking that in case the decision goes against the Applicant, then he will be ready to re-deposit the amount before this Court.

4. Mr. P. Dangui, learned Addl. Government Advocate appearing for the Respondent, has objected to pay the amount.

5. Considering the rival submissions of both the sides, I am of the opinion, that atleast half of the amount of compensation is to be paid to the Applicant otherwise the Decree will be fruitless Decree.

6. In such circumstances, the application is allowed. Half of the compensation deposited before this Court be paid to the Applicant subject to the condition that the Applicant should give an undertaking that in case the decision goes against him, he will deposit the amount before this Court.

6. Application stands disposed of.

K. L. WADANE, J.

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