

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 287 OF 2016

IN

FIRST APPEAL NO. 14 OF 2015

M/S TIMES CONSTRUCTIONS,
REPRESENTED BY ITS PARTNERS AND 2
ORS.,

... Applicants

Versus

STATE OF GOA, REP. BY THE CHIEF
SECRETARY

... Respondent

Mr. Jagannath Jayant Mulgaonkar, Advocate for the applicants.
Mr. Pradosh P. Dangui, Addl. Government Advocate for the
respondent.

Coram:- F. M. REIS, J.

Date:- 29th April, 2016

P.C.

Heard Mr. J. J. Mulgaonkar, learned counsel appearing for the applicants and Mr. P. Dangui, learned Addl. Government Advocate appearing for the respondent.

2. This is an application to permit the applicants who are the respondents in the above appeal to withdraw a part of the amount of Rs.6,00,000/- from the decretal amount under challenge in the above appeal deposited by the appellant/respondent herein.

3. Mr. Mulgaonkar, learned counsel appearing for the applicants/original respondents submit that this amount is an

admitted amount which the respondent is bound to pay to the applicants. But however, the learned Addl. Government Advocate disputes the said contention as according to him, the respondent is not liable to pay to the applicants.

4. Be that as it may, in the peculiar facts and circumstances of the case and in the interest of justice, I find it appropriate to permit the applicants to withdraw a sum of Rs.6,00,000/- deposited by the appellant/respondent in this Court subject to the applicants furnishing a personal bond to the satisfaction of the Registrar (Judicial) of this Court and also an undertaking to the Court that in case any adverse order is passed against the applicants, such amount shall be refunded or deposited in terms of the order passed by this Court at the time of the final disposal of the appeal.

5. Subject to the above, the application stands disposed of accordingly.

F. M. REIS, J.

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