

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 400 OF 2016

IN

FIRST APPEAL NO. 95 OF 2007

SHRI. AGNELO JOSE AUGUSTO PINTO
AND 4 ORS.

... Applicant

Versus

DEPUTY COLLECTOR (DEV) AND LAND
ACQUISITION OFFICER AND ANR.,

... Respondents

Mr. R. G. Ramani, Advocate for the applicants.

Mr. P. Faldessai, Addl. Government Advocate for the respondents.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 16th June, 2016

P.C.

Heard Mr. R. G. Ramani, learned counsel appearing for the applicants and Mr. P. Faldessai, learned Addl. Government Advocate appearing for the respondents.

2. This is an application filed by the applicants/original respondents in the appeal to withdraw the amount deposited by the respondents/original appellants in this Court while obtaining the stay of the operation of the award passed by the learned Reference Court. The appeal came to be disposed of by judgment dated 12.08.2010.

3. Mr. Ramani, learned counsel points out that the applicants

have not received intimation of any proceedings initiated by the respondents/original appellants challenging the said judgment.

4. Mr. Ramani, learned counsel also points out that in the meanwhile the applicant no.5 has expired and her legal heirs are already on record and her share will be distributed to her descendants being applicant no.4(a) and 4(b). Hence, the application is allowed. The amount deposited in the Registry is directed to be paid to the applicants herein along with the interest accrued thereon as per the shares indicated by the applicants in the application. The Registry shall accordingly carry out the calculations and disburse the amount in terms of the above order.

5. Needless to say that the applicants if so advised are at liberty to claim the shortfall of the amount, if any, in terms of the said judgment in accordance with law.

6. The application stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

at*