

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 469 OF 2016

IN

WRIT PETITION NO. 709 OF 2015

BIG BOX PRINT AND PACKAGING.

... Applicant

Versus

SHRI JAHIR S. VENGURLEKAR.

... Respondent

Shri J. E. Coelho Pereira, Senior Advocate with Shri Vledson Lucio Braganza, Advocate for the applicant.

Shri C. A. Ferreira, Advocate for the respondent no.1.

Shri P. Vengulekar, Advocate for the respondent no.2.

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

Date:- 7th July, 2016

P.C.

Leave to amend prayer clause(b) to correct the typographical error from the respondent no.2 to the respondent no.1. Amendment to be carried out forthwith.

2. This is an application to direct the respondent no.1 to comply with the directions issued by this Court in the order dated 9.3.2016 while disposing of the Writ Petition No. 709/2015.

3. Shri J. E. Coelho Pereira, learned Senior Counsel has pointed out that all the dues payable in terms of the minutes of the Order dated 2.12.2015 have duly been paid by the applicant to the respondent no.2. The learned Senior Counsel as such submits that the respondent no.1 cannot proceed with the proceedings initiated by the

respondent no.2 to recover such amount paid on the basis of full and final settlement.

4. Shri C. A. Ferreira, learned Counsel for the respondent no.1 points out that in case the respondent no.2 appears before the respondent no.1 and confirms that the dues have been duly paid and that there is no further claim against the applicant in connection with the subject claim, the respondent no.1 will pass necessary orders accordingly.

5. The fact that the amount has been duly paid based on the settlement have not been disputed by the respondent no.2 herein. The respondent no. 2 also does not claim that any further amounts are due from the applicant with regard to the subject claim.

6. In such circumstances, there is no reason for the respondent no.1 to refuse the liberty sought by the respondent no. 2 to dispose of such proceedings. Hence, the above application stands disposed off by directing the respondent no.2 to remain present before the respondent no.1 on 20.7.2016 at 4.30p.m to enable the respondent no.1 to pass necessary orders on the application dated 8.3.2016 filed by the respondent no.2.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.