

IN THE HIGH COURT OF BOMBAY AT GOA

**GOA STATE LEGAL SERVICES AUTHORITY
LOK ADALAT**

Sitting :- 9th July, 2016

Panel - 1: SHRI JUSTICE N. A. BRITTO,
(FORMER JUDGE OF HIGH COURT OF
BOMBAY AT GOA) PRESIDING
OFFICER &

SHRI J. E. COELHO PEREIRA,
(SENIOR ADVOCATE) MEMBER &

SHRI M. S. JOSHI,
(ADVOCATE) MEMBER

FIRST APPEAL NO. 226 OF 2009

MR. FERNANDO RUI PRAZERES	... Appellant
Versus	
EXECUTIVE ENGINEER, W.D. II (R), P.W.D.	... Respondent

Appellant is present with Advocate Ms. S. Amonkar.

Mr. S. Lotlikar, Advocate General with Mr. Pradosh Dangui, Additional Government Advocate for the Respondent.

FIRST APPEAL NO. 246 OF 2009

THE EXECUTIVE ENGINEER WORKS DIVISION-II (R) P.W.D.	... Appellant
Versus	
MR. FERNANDO RUI PRAZERES	... Respondent

Mr. S. Lotlikar, Advocate General with Mr. Pradosh Dangui, Additional Government Advocate for the Appellant.

Respondent is present with Advocate Ms. S. Amonkar.

MINUTES

Mr. Lotlikar, learned Advocate General is present on behalf of the State. The matter is settled. The appellant/respondent-Mr. Fernando Rui Prazeres, shall be entitled to use the applicable FAR in respect of the area acquired, which is 125 square metres (Survey No. 36/5 part). The appellant/respondent-Mr. Fernando Rui Prazeres, will refund the entire amount received by him, in connection with the acquisition alongwith interest at the rate of 8% per annum.

2. The refund to be made by the appellant/respondent-Mr. Fernando Rui Prazeres, would be subject to the certificate to be issued by the Chief Town Planner. The certificate shall be issued by the Chief Town Planner within a period of one month and the refund by the appellant/respondent-Mr. Fernando Rui Prazeres to be made thereafter, within a period of another one month.

3. The above settlement is arrived at, considering that the acquired area is only 125 square metres.

SHRI JUSTICE N.A. BRITTO,
(FORMER JUDGE OF HIGH COURT
OF BOMBAY AT GOA) PRESIDING
OFFICER

SHRI J.E. COELHO PEREIRA,
(SENIOR ADVOCATE) MEMBER

SHRI M.S. JOSHI
(ADVOCATE) MEMBER

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