

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 343 OF 2017

IN

FIRST APPEAL NO. 86 OF 2004

TIMBLO AGRO DEVELOPMENT PVT. LTD., ... Applicant

Versus

DEPUTY COLLECTOR (L.A.) AND ANR., ... Respondents

Adv. Hanumant D. Naik for the Applicant.

Adv. Susan Linhares for Respondent no.1 & 2

Coram:- C. V. BHADANG, J.

Date:- 8th March 2018

P.C.:

This is an application for withdrawal of the amount of compensation deposited by the respondent/State. The respondents have produced a calculation sheet filed in Execution Application No.56/2016 in which according to the respondents the applicant is entitled to receive an amount of Rs.10,52,631/-, while the excess amount of Rs.3,05,044/- has to be refunded to the State. In view of the fact that the proceedings for recovery of the compensation are already pending before the Executing Court, it would be appropriate that the Executing Court looks into the same and passes appropriate order taking into consideration the calculation sheet filed by the respondent/State. In such circumstances, the amount deposited before this Court

along with interest, if any, shall be remitted to the Executing Court which shall pass an appropriate order after hearing the parties and taking into consideration the calculation sheet as referred above. The applciaiton is disposed off.

C. V. BHADANG, J.

ap/-