

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 731 OF 2017

IN

FIRST APPEAL NO. 293 OF 2003

COMMUNIDADE OF VERNA, THR. ITS
ATTORNEY, SAVIO CORREIA.,

... Applicant

Versus

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

... Respondents

Ms. S. Sawant, Advocate for the Applicant.

Ms. S. Linhares, Additional Government Advocate for
Respondent Nos.1,2 & 3

Coram:- SHANTANU S. KEMKAR &
NUTAN D. SARDESSAI, JJ.

Date:- 17th January 2018

P.C.:

Parties through their Counsel.

2. Heard on Misc Civil Application No.731 of 2017 seeking leave to withdraw the amount deposited by the State.

3. We find that seeking liberty to deposit the amount in terms of the order passed by this Court the State had filed Misc. Civil Application No.686 of 2012. While disposing of the said application vide the order dated 8th August 2012, this Court

permitted to State to deposit the cheque for Rs.20,05,050/- with a further direction that upon deposit the amount be paid to the respondent. The respondent to file execution application in the event the amount deposited is by the State is found short of total amount due in terms of the award passed by this Court.

4. Keeping in view the aforesaid order, in fact it is not necessary for us to pass any further orders on this Misc. Civil Application No.731 of 2017. However, we make it clear that the applicant of this application is permitted to withdraw the amount with interest accrued on it subject to the liberty to file execution application in the event the amount deposited is found short of the total amount due in terms of the award passed by this Court.

5. Accordingly, Civil Application is disposed of.

NUTAN D. SARDESSAI, J.

SHANTANU S. KEMKAR, J.

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