

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO. 912 OF 2018**

CINTIA FERNANDES AND 10 ORS., ... Petitioners

Versus

UNION OF INDIA, THR. SECRETARY,  
NEW DELHI AND 6 ORS., ... Respondents

Mr. Arjun Naik, Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. P.  
Dangui, Addl. Government Advocate for Respondent Nos. 2 to  
5.

WITH  
Misc. Civil Application No. 165/2019

Mr. Gaurang D. Panandiker, Advocate for the Applicant.

WITH  
Writ Petition No.266/2019  
Mr. Gaurang D. Panandiker, Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. P.  
Dangui, Addl. Government Advocate for Respondents.

WITH  
Writ Petition No. 270/2019.

Mr. Arjun Naik, Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. P.  
Dangui, Addl. Government Advocate for Respondent Nos. 2 to  
5.

Coram:- R. D. DHANUKA &  
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 2nd May 2019

P.C.:

Learned Counsel for the petitioner states that the amount of compensation payable to Amania Mascarenhas, the mother of the petitioner, has not been deposited by the Government so far. The Government is directed to look into this grievance and to do the needful within six weeks from today.

2. Learned Advocate General states that in compliance with the statement made before this Court on 12.04.2019, the respondent Nos. 2 to 5 have already deposited the amount awarded by the land Acquisition Officer in respect of the structures and solatium thereon on 30.04.2019. Statement is accepted.

3. It is however the grievance of the petitioner in Writ Petition No. 270/2019 that about Rs.10,00,000/- are not deposited so far by respondent Nos. 1 to 5. The learned Advocate General states that if there is any such shortfall in respect of any particular structure, the same would be deposited within two weeks from today. Statement is accepted.

4. It is made clear that the time for handing over the vacant possession of the structures to the Government by the claimants/occupants will start from the day such deposits are made. The State Government shall inform the petitioner the date of deposit. In so far as the amount already deposited by the State Government on 30.04.2019 is concerned, the time to vacate the

structures would commence from 30.04.2019.

5. It is made clear that the entitlement of the claimants to receive rent from the Government would commence from the date of claimant handing over vacant possession of the structures to the Government.

6. The Learned Counsel for the petitioner in Writ Petition No. 266/2019 on instructions seeks leave to withdraw this petition on the ground that the Government has already deposited the amount and thus nothing survives in this petition in respect of the house in survey no.97/2. Statement is accepted. Writ Petition is dismissed as withdrawn.

7. It is made clear that if there is any application for apportionment made among the co-owners, the same would be considered on its own merits in respect of the amounts deposited by the Government. No order as to costs.

8. Stand over to 13.06.2019

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.

MF/-