

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 442 OF 2018

ANTONETA FERNANDES, THR. HER POA,
PAULO JUDE LEITAO., ... Petitioner

Versus

THE STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 2 ORS., ... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioner.
Mr. Sudin Usgaonkar, Senior Advocate with Ms. V. Palyekar,
Advocate for respondent no.4.
Mr. D. Lawande, Advocate General with Mr. P. Dangui, Govt.
Advocate for the respondent nos.1 to 3.

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

Date:- 30th April 2019

P.C.

Learned Advocate General for respondent nos.1 to 3 on instructions states that amount of compensation in respect of acquisition of land in question would be deposited with District Court, South Goa within six weeks from today. He further submits that such amount is in fact already deposited by the Authority with Economic Development Corporation. Statement is accepted. Upon such deposit, the petitioner shall be informed about such deposit by State Government as well as to the respondent no.4.

2. If petitioner seeks to file any proceeding under Section 76 of

the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 upon such deposit by State Government, the petitioner would be at liberty to file such application. If any such application is filed, the same shall be considered by the court on its own merits after hearing the petitioner as well as respondent no.4. It is made clear that respondent nos.1 to 3 would deposit the amount of compensation before the District Court only in so far as land in this petition is concerned. It is made clear that this Court has not expressed any views on merits of the matter. All contentions of both the parties are kept open.

3. Writ Petition is disposed of on the aforesaid terms. There shall be no order as to costs.

4. Parties to act on the basis of authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.