

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 673 OF 2018

UNITED SPIRITS LTD. (ERSTWHILE
MCDOWELL AND CO. LTD.), REP. BY
ITS OFFICER, SURAJ SHENVI
PILGAONKAR.

... Petitioner

Versus

STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 4 ORS.,

... Respondents

Mr. Sudesh Manohar Usgaonkar, Advocate for the Petitioner.

Mr. Devidas J. Pangam with Ms. Maria Correia, Additional
Government Advocate for the Respondents.

Coram:- M. S. SONAK &
C. V. BHADANG, JJ.

Date:- 26th November, 2019

P.C.

Heard Mr. Usgaonkar, the learned Counsel for the petitioner and Mr. Pangam, the learned Advocate General with Ms. Maria Correia, the learned Additional Government Advocate for the respondents.

2. The learned Counsel for the parties agree that the issues raised in this Petition are covered by the judgment and order dated 16.10.2019 in Writ Petition No. 424/2018. However, the learned Advocate General points out that the State is contemplating a challenge to the judgment and order dated 16.10.2019 in Writ Petition No. 424/2018.

3. Accordingly, for the reasons set out in our judgment and order dated 16.10.2019 in Writ Petition No. 424/2018, this Petition is allowed in terms of prayer clauses (a) and (b), which read as follows:

(a) To pay to the petitioner forthwith statutory interest of Rs.56,86,016.00 being interest at the rate of 8% per annum on Rs.80,46,249.25 from 01/02/2008 to 30/11/2016 i.e. period of 90 days from 10/10/2007 as specified at para 25 of the petition.

(b) To pay to the petitioner forthwith statutory interest of Rs.46,00,023.00 being interest at the rate of 8% per annum on Rs.59,48,305.75 from 90 days after the date of logging of the claim under sub-sec. 3 of sec. 10 for each of the four quarter of the year 2005-2006 as specified at para 26 of the Petition.

4. Insofar as prayer clause (c) of this Petition is concerned, we direct the Assessing Authority to comply with the directions issued by the Appellate Authority in its order dated 23.07.2018 as expeditiously as possible and in any case within a period of three months from today.

5. This Petition is accordingly disposed off in the aforesaid terms. There shall be no order as to costs.

6. All concerned to act on the basis of an authenticated copy of this order.

C. V. BHADANG, J.

M. S. SONAK, J.

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