

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

MISC.CIVIL APPLICATION NO. 91 OF 2020

IN

FIRST APPEAL NO. 19 OF 2012

GLADSTONE S. C. ALMEIDA, (DEC)  
(DELETED) AND 4 ORS.,

... Applicants

Versus

SPECIAL LAND ACQUISITION OFFICER,  
PANAJI AND ANR.,

... Respondents

Mr. Mahesh Amonkar, Advocate for the Applicants.

Mr. D.J.Pangam, Advocate General with Mr. S. Dhargalkar,  
Addl. Government Advocate for the Respondents.

Coram:- M. S. SONAK &  
NUTAN D. SARDESSAI, JJ.

Date:- 18th February, 2020

P.C.:

Heard Mr. Mahesh Amonkar, learned Advocate for the applicants and Mr. D.J.Pangam, learned Advocate General alongwith Mr. S. Dhargalkar, learned Addl. Government Advocate for the respondents.

2. This is an application taken up only by the applicant nos.3, 4 and 5 in First Appeal no.19/2012 for disbursal of the amount deposited by the respondents in pursuance of our judgment dated 25.09.2019, disposing off the First Appeal no.19/2012.

3. These applicants have stated that they are entitled to 25% of the amount each, so deposited and the balance 25% has to go to the legal representatives of the applicant no.2 i.e. Mr. Delano Almeida. In respect of the legal representatives of Mr. Delano Almeida a separate application bearing Stamp Number (Application) No.609 of 2020 has been taken up. That application is signed by Mrs. Sandra Almeida who is present in the Court today.

4. Ms. Sandra Almeida, who is present in the Court, admitted that the applicant nos.3, 4 and 5 are entitled to 25% share each of the compensation deposited by the respondents.

5. Ms. Sandra Almeida has filed Stamp Number (Application) No.609/2020 on her own behalf and as attorney to Applicant nos.2(b), 2(c), 2(d), 2(f) and 2(g). Though, applicant no.2(e) is not a party to the application at Stamp Number (application) No.609/2020, we are satisfied that the applicant nos.3, 4 and 5 can be paid 25% each of the compensation deposited by the respondents.

6. The Misc. Civil Application no.91/2020 is therefore allowed and the Registry is directed to pay to the applicant nos.3,4 and 5 their respective share of 25% amount deposited i.e.2,49,96,061/-

(Rupees Two crores forty nine lakhs ninety six thousand and sixty only) each and a separate cheque be issued in the names of the applicant nos.3, 4 and 5 respectively. In case any interest is accrued on the said amounts, the same may be also paid proportionately to the applicant nos.3, 4 and 5.

7. The applicant nos.3, 4 and 5 to furnish the usual indemnity bond to the Registry, indemnifying the Registry, in case any claims are received, from any other parties, before the issuance of the cheques as aforesaid.

8. The Misc. Civil Application is disposed off on the aforesaid terms.

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

NUTAN D. SARDESSAI, J.

M. S. SONAK, J.

MF/-