

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 201 OF 2020

AND

WRIT PETITION NO. 1032 OF 2019

GOPALKRISHNA P. PRABHUGAONKAR. ... Applicant/
Petitioner

Versus

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

Mr. Sudesh Manohar Usgaonkar, Advocate for the Applicant/Petitioner.
Mr. Manish Damodar Salkar, Government Advocate for the
Respondents.

Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.

Date:- 13th October, 2020

P.C.

Heard Mr. Usgaonkar, learned counsel for the Petitioner
and Mr. Salkar, learned Government Advocate for the Respondents.

2. The learned counsel for the parties state that alongwith this
Misc. Civil Application, Writ Petition No.1032 of 2019 may be
disposed of.

3. The writ petition was admitted by order dated 10.12.2019.
The said order reads as follows :-

“ *Heard.*

2. *Rule. Hearing is expedited.*

3. *The respondents are directed to file their reply within six weeks from today by service of advance copy on the learned Counsel appearing for the petitioner. Rejoinder, if any, to be filed within a period of two weeks thereafter. Once the pleadings are complete, liberty to apply for final disposal.*

4. *It is made clear that the respondents, without prejudice to the rights and contentions, are at liberty to deposit the interest amount in this Court. If such amount is indeed deposited in this Court, liberty to the petitioner to make an application to seek withdrawal of the said deposited amount and such application will be considered in accordance with law.*

5. *Mr. Salkar, the learned Government Advocate, waives service of Rule on behalf of the respondents.”*

4. In pursuance of liberty granted by us in terms of the paragraph 4 of the order dated 10.12.2019, the Respondents had deposited the interest amount in this Court.

5. Mr. Salkar, learned Government Advocate states that there is no objection for withdrawing this interest amount by the Petitioner. Mr. Salkar further states that there is no objection to the Rule being made absolute in this petition to the extent that the Petitioner is awarded interest amount as has been deposited by the Respondents in this Court.

6. Mr. Usgaonkar, learned counsel for the Petitioner submits

that upon withdrawal of the interest amount which is deposited by the Respondents in this Court, the grievance of the Petitioner in this petition stands redressed.

7. Accordingly, we allow the Misc. Civil Application but further, make the Rule absolute in writ petition by clarifying that the grievance of the Petitioner upon withdrawal of interest amount deposited by the Respondents in this Court stands redressed.

8. The Misc. Civil Application No.201 of 2020 in Writ Petition No.1032 of 2019 is disposed of in the aforesaid terms.

9. Rule is made absolute to the aforesaid extent. The writ petition is accordingly disposed of. No costs.

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

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

at*