

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

**MISC. CIVIL APPLICATION NO. 228 OF 2021
IN
FIRST APPEAL NO. 94 OF 1999**

STATE OF GOA, REP. BY SPECIAL
LAND ACQUISITION OFFICER (SIP),
MARGAO AND ANR. ...APPLICANTS

Versus

ALVARO M. A. DE NORONHA
FERREIRA AND ANR ...RESPONDENTS

Ms. Sapna Mordekar, Additional Government Advocate *for
the Applicants.*

CORAM: MANISH PITALE, J.

DATED: 21st February 2022.

P.C.:

1. This is an application filed on behalf of the original appellants i.e. State and its Officer for withdrawal of amount deposited in this Court during the pendency of First Appeal No. 94/1999. It is undisputed that the Appeal stood dismissed.

2. The respondents have initiated execution proceedings before the Executing Court. According to the appellants, the

amount lying deposited in this Court needs to be withdrawn so that the payment of the amount due to the respondents can be made.

3. Notice was issued in this Application and despite service, the respondents chose not to appear before this Court.

4. Hence, the Application is allowed.

5. The applicants are permitted to withdraw the amount deposited in this First Appeal with accrued interest, if any. This would enable the applicants to satisfy the award for payment of the amount due to the respondents, after adjusting amount already paid to the respondents, if any.

6. The Application stands disposed of.

MANISH PITALE, J.