

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.247 OF 2023

IN

FIRST APPEAL NO.31 OF 2011

RAMCHANDRA M.S. KHANDEPARKAR

... APPLICANT

Versus

DEPUTY COLLECTOR AND SDO AND ANR

... RESPONDENTS

Mr R. G. Ramani, Senior Advocate with Mr Pranav Shenvi Kakodkar, Advocate for the Applicants.

Mr Geetesh R. Shetye, Additional Government Advocate for the Respondent -State in FA No. 31 of 2011.

CORAM:- M. S. KARNIK, J.

DATED :- 26th July, 2023

P.C.

This is an application for an order to permit the applicant to withdraw the amount of compensation deposited by the respondents, along with interest accrued thereon.

2. The appeal filed by the respondents against the award passed by the Reference Court has been dismissed. The respondents had deposited the entire amount which was awarded by the Reference Court in this Court.

3. It is submitted by the learned Additional Government Advocate that an amount in excess of the entitlement of the applicant in terms of

the award of the Reference Court was deposited in this Court. The Registry to calculate the entitlement of the applicant in terms of the order passed by the Reference Court and the applicant is permitted to withdraw the said amount along with accrued interest thereon. The excess amount, if any, after the award of the Reference Court is satisfied, be paid over to the respondents.

4. If the Registrar is of the opinion that the entitlement of the applicant in terms of the award of the Reference Court is over and above the amount which has been deposited, the respondents will have to deposit the balance amount within a period of 3 months from the date of the final calculations by the Registrar. It is however made clear that the Registrar may afford an opportunity to the respondents to place their calculations on record in case of a dispute.

5. The application is disposed of.

M. S. KARNIK, J.

MARIA SUZANA
REBELLO

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