

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.335 OF 2023

IN

FIRST APPEAL NO.101 OF 2012

SHANTABAI LAXMIKANT SHET PARKAR ... APPLICANT

Versus

THE DY. COLLECTOR (L.A) AND ANR ... RESPONDENTS

Ms D. Apte, Advocate for the Applicant.

Mr P. Arolkar, Additional Government Advocate for the Respondents - State.

CORAM:- M. S. SONAK, J.

DATED :- 7th December, 2023

P.C.:

Heard Ms Apte for the applicant and Mr Arolkar, learned Additional Government Advocate for the respondents State.

2. The appeal is already disposed of. Some amounts have been deposited by the State Government in this Court. Accordingly, the applicant applied for the calculation or computation of the correct amount and disbursement.

3. Since there was a dispute between the parties, the Registrar (Judicial) was requested to make the calculation/computation. The Registry has determined an amount of Rs.1,80,188.64 (Rupees One Lakh Eighty Thousand One Hundred and Eighty Eight and Sixty Four

paise only) as payable to the applicant along with bank interest accrued on it from 18.01.2022 till actual payment. However, Ms Apte, learned Counsel for the applicant states that the amount due and payable to the applicant would be in excess of Rs.9,00,000.00 (Rupees Nine Lakhs only).

4. Mr Arolkar states that according to the Government's calculation also, the amount payable comes to Rs.1,80,188.64 (Rupees One Lakh Eighty Thousand One Hundred and Eighty Eight and Sixty Four paise only).

5. Accordingly, the applicant is permitted to withdraw an amount of Rs.1,80,188.64 (Rupees One Lakh Eighty Thousand One Hundred and Eighty Eight and Sixty Four paise only) along with bank interest accrued thereon from 18.01.2022 till actual withdrawal. Similarly, the respondents - State is permitted to withdraw the balance amount after six weeks from today unless in the meanwhile the applicants obtain order/interim orders from the executing Court.

6. In respect of the alleged further amount, the applicant is granted liberty to file execution proceedings before the appropriate executing Court. The applicant can accept the amount now determined by the Registrar without prejudice to her rights and contentions to receive additional amounts.

7. Misc. Civil Application No.335/2023 is disposed of in the above terms.

M. S. SONAK, J.