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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.931 OF 2017

MARGAO MUNICIPAL COUNCIL,
THR. ITS AUT. SIGN., DAMODAR
K. K. YELEKAR

... Petitioner

Versus

GROUP CONSTRUCTION COMPANY,
REP. BY ITS PARTNER, RASIKLAL
MOHANLAL GANGANI

... Respondent

Mr Parag Rao with Ms S. Drago, Advocates *for the Petitioner.*

Mr Rohit Bras de Sa with Mr P. Naik, Advocates *for the Respondent.*

**WITH
MISC. CIVIL APPLICATION NO.1012 OF 2017
IN
WRIT PETITION NO.931 OF 2017**

GROUP CONSTRUCTION COMPANY,
REP. BY ITS PARTNER, RASIKLAL
MOHANLAL GANGANI

... Applicant

Versus

MARGAO MUNICIPAL COUNCIL,
THR. ITS AUT. SIGN., DAMODAR
K. K. YELEKAR

... Respondent

Coram: M.S. SONAK, J.

Date: 25th January 2024.

P.C.:

1. Mr Rohit Bras de Sa, learned Counsel for the Respondent now points out that the Respondent partnership firm has been dissolved and succeeded by Shri Sahjanad Investments Pvt. Ltd. with effect from 27.06.2001. He also places on record an extract from the Registrar of Firms.

2. Accordingly, Mr Rao the learned Counsel for the Petitioner seeks leave to amend the cause title. Leave is granted. Amendment to be carried out forthwith.

3. The learned Counsel for the parties state that the disputes which are the subject matter of this petition have been settled. In terms of the settlement, the Petitioner-Margao Municipal Council (MMC) has agreed to pay an amount of ₹49,50,481.68 in full and final settlement of the Respondent's claim under the Arbitration award.

4. Mr De Sa states that the above settlement made by Mr Rao on behalf of MMC is correct and indeed a settlement in the above terms has been reached between the parties.

5. Mr Rao states that the MMC has deposited in this Court an amount of ₹21,23,533/-. Accordingly, he submits that the Respondent can withdraw this amount together with the accrued interest. Mr De Sa states that he will give the bank details of the Respondent to the

Registry so that the Registry can transfer this amount directly into the bank account.

6. Mr Rao states that the balance amount will be paid by the MMC to the Respondent within two weeks from today by transferring the balance amount into the Respondent's bank account. Mr De Sa states that these bank details will be shared with the MMC today itself.

7. Mr De Sa, based on instructions from Mr Rasiklal Gangani, the authorized Director of Sahjanad Investments Pvt. Ltd. (Respondent) states that the Respondent Company has no further claims against the MMC in the context of the impugned award. Mr Gangani is present in the Court and he confirms this position.

8. The statements made by Mr Rao on behalf of MMC were based on the instructions from the Chief Officer of MMC Mr Gaurish Shankhwalkar who is also present in the Court and confirms the same.

9. Accordingly, at the request of the learned Counsel for the parties, this petition is disposed of in the above terms. There shall be no order for costs.

10. Misc. Civil Application No.1012/2017 stands disposed of.

M.S. SONAK, J.

JOSE
FRANCISCO
DSOUZA

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