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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.319 OF 2025

EDC LIMITED

EDC House, 1st Floor, Dr Atmaram Boarkar
Road,

Panaji, Goa 403001

Through its Authorised Representative

Mr. Sayeesh A. Prabhu, s/o Anand Prabhu,

Aged 42 years, Indian National, Married,

Deputy General Manager (Law),

Having office at EDC House,

3rd Floor, Dr Atmaram Borkar Road,

Panaji, Goa 403001

... Petitioner.

Versus

1) Shri Sayajirao Vishwasrao Prabhu Dessai
(Deceased)

S/o Vishwasrao Prabhu Dessai,

R/o H.no 849/883, Vishwas Pundalik Nagar,

Alto Porvorim, Goa 403521

2) Mrs Smita Sayajirao Sardesai (since
deceased)

Widow of Late Sayajirao Sardesai,

2a) Samruddhi S. Ingawale,

D/o Sayajirao Vishwasrao Prabhu Dessai

Major in age, R/o “Mitra”, H.No 1177-A-4,

Ingawale Colony, Pholewadi,

Kolhapur Maharashtra- 416010

2b) Shri Satish Krishnarao Ingwale

Major in age, R/o “Mitra”, H.No 1177-A-4,

Ingawale Colony, Pholewadi,
Kolhapur Maharashtra- 416010

3) Mr Samrat Sayajirao Sardesai
S/o Late Sayajirao Sardesai

4) Mrs Namrata Samrat Sardesai
W/o Samrat Sayajirao Sardesai
All above major in age & Indian National,
and r/o H.no 849/883, Vishwas Pundalik
Nagar, Alto Porvorim, Goa 403521

5) The Executive Engineer,
Division XVII (PHE-N)
PWD, Alto Porvorim Goa

6) Deputy Collector & Land Acquisition
Officer Bicholim Sub Division,
Bicholim, Goa.

... Respondents.

Mr. V.A. Lawande with Ms. Smita Gawas, Advocates for the
Petitioner.

Ms. Nicole Mayekar, Advocate for Respondent No.3. (through
V.C.)

Mr. Shivdatt P. Munj, Additional Government Advocate for
Respondent No.5.

CORAM: VALMIKI MENEZES, J.

DATED: 6th August, 2025

ORAL JUDGMENT:

1. Registry to waive office objections and register the matter.
2. Rule. Rule made returnable forthwith. With the consent of the

parties, petition is disposed of finally.

3. An affidavit of Sayeesh A. Prabhu, Deputy General Manager (Law) of the Petitioner is taken on record. This affidavit clarifies that all amounts deposited by the acquiring department with the Petitioner when the reference was made to the District Court, with regard to the acquisition in question have been transferred to the acquiring department i.e. Executive Engineer Works Division III DDW Sarvan Bicholim Goa. These transfers are recorded by the Petitioner in its letters dated 22.07.2025 and 05.08.2025. The transfers of these two amounts which constitute the deposit under the land acquisition proceedings, are also reflected in the statement of accounts produced along with the affidavit.

4. The amounts deposited by the acquiring department with the petitioner having now been transferred back to the account of the acquiring department, the acquiring department is directed to deposit the same before the Executing Court i.e. the Court of the Adhoc District Judge 1, FTC Mapusa, dealing with the Execution Application No. 444/2016, within a period of two weeks from the date of this order. The Executing Court, on receipt of this amount, shall proceed to decide the Execution Application and the entitlement of each of the claimants as per law. The Execution Proceedings shall be disposed of expeditiously and as far as possible within three months from today.

5. Considering all the above-referred facts, the impugned order dated 18.12.2024 is quashed and set aside. The Petitioner i.e. EDC Ltd. shall be dropped/deleted from the Execution Proceedings as they are not necessary for the final decision in those proceedings, considering all the aforementioned facts.

6. Rule is made absolute in the aforementioned terms.

VALMIKI MENEZES, J.