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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.935 OF 2026

ANTONIO FLORENCIO DO ROSARIO ... PETITIONER
Versus
THE COLLECTOR AND ARBITRATOR AND 3 ORS ... RESPONDENTS

Mr. Gaurish Agni(Through V.C.) with Mr. Ankur Kumar, Advocates for the Petitioner.
Mr. Eshaan Luke Jacques, Advocate for Respondent Nos. 1 to 3.
Mr. Prasheen Lotlikar, Advocate for Respondent No. 4.

CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.

DATED :- 13th October, 2026

P.C.

1. This is a Petition seeking a Writ of Mandamus directing Respondent No. 1, the Collector and Arbitrator appointed for deciding Petitioner's application for enhancement of compensation under Section 3G(5) of the National Highways Act, 1956. The Petitioner is a Senior Citizen aged 85 years. His land under Survey Nos. 202/2 and 202/3 of Village Goa Velha, Tiswadi Taluka, was acquired for the purpose of construction of NH-66 and the approach road to the new Zuari bridge way back in 2018.

2. The Petitioner thereafter filed an application seeking enhancement of compensation through the process of arbitration

under Section 3G(5) of the Act. This application was filed in the year 2019 but was kept dormant by the Arbitrator from 2021 until June 2023, when the matter was first taken up on 13.06.2023. Even after more than 3 years have elapsed, the Arbitrator is yet to dispose of the matter.

3. We are informed that the Arbitrator has called for a report from the Mamlatdar of Tiswadi with regard to the debris found deposited on the Petitioner's land on 19.08.2026. No report has been submitted by the Mamlatdar till date.

4. Considering the fact that the Petitioner is now 85 years old and the matter has been kept pending since the year 2021, i.e. for 5 long years, we are of the opinion that the Arbitrator has inordinately delayed the process of passing the award on the Petitioner's application.

5. We have perused the Roznama and find no reason why the matter has been adjourned from month to month when it should have been disposed of with greater haste. This is particularly so, considering the objects of the Act and the fact that the Petitioner is now 85 years of age.

6. Considering all these facts, we direct the Collector, North Goa, appointed as Arbitrator under Section 3G(5) of the National

Highways Act, 1956, to decide the application filed by the Petitioner, which bears Application No.Mis/LA/Coll (N)/NH/41/2023/295 by 15.12.2026.

7. For that purpose, we also direct the Mamlatdar of Tiswadi, who has been directed to file a report before the Arbitrator with regard to the deposit of debris on the aforementioned survey numbers of the Petitioner's land, to carry out an inspection at the site and submit the report within one week from today.

8. The Collector of North Goa shall place the compliance report in terms of this order before the Registrar Judicial of this Court by 20.12.2026.

9. The Petition stands disposed of in the aforementioned terms.

AMIT S. JAMSANDEKAR, J. **VALMIKI MENEZES, J.**

Signed by: SHAKUNTALA ZALMI
Designation: Personal Assistant
Date: 15/10/2026 14:33:46