

CONTEMPT PETITION NO. 10 OF 2003

Shri D. R. Bhat,
Ex-Senior Town Planner,
Plot No.2, Town
Planning Staff Co.op.
Housing Society,
Alto Betim, Bardez, Goa.

... Petitioner.

Versus

1. State of Goa,
through its Chief Secretary,
Secretariat, Panaji, Goa,
2. D. S. Negi, Chief
Secretary to the
Govt. of Goa, Secretariat,
Panaji, Goa,
3. Shri Murad Ahamad,
The Chief Town Planner,
Town and Country Planning
Department, Old Goa Medical
College Complex, Panaji,
Goa,
4. Shri B. K. Sutaria, major,
Director State Land use
Board Town and Country
Planning Department, Old
Goa Medical College Complex,
Panaji, Goa.

... Respondents.

Smt. A. A. Agni, advocate for the petitioner.

Shri P.A. Kamat, Addl. Govt. advocate for the respondent
nos. 1 and 2.

CORAM : F. I. REBELLO, J.

DATE : 31st July, 2003.

ORAL ORDER

Heard forthwith.

The grievance of the petitioner was that the order of this Court dated 14th January, 2003, has not been complied with. On behalf of the respondents their learned

counsel contends that the file was being processed and it is under these circumstances that the matter could not be disposed of at the earliest. It is pointed out that the file was being processed to find out whether an appeal shall be filed. It has now been decided not to prefer an appeal against the order and that necessary steps are being taken to implement the order. Considering that, I do not propose, on the facts as they now stand, to initiate proceedings in contempt. However, the matter can be disposed by giving the following directions:-

(i) The petitioner to deposit the sum of Rs.56,560/- (rupees fifty six thousand five hundred and sixty only) alongwith interest as calculated by him at 6% per annum, with the office of the Directorate of Accounts;

(ii) The Directorate of Accounts to accept the amount as deposited. It will be open to the respondents if interest is not at 6% per annum to claim such higher interest, if in law they are so entitled. The charging of interest can be decided after giving an opportunity to the petitioner to have his say on the matter;

(iii) At any rate, on the principal amount being deposited, no further interest will be charged on the said amount from the date of deposit.

(iv) The Judgment of this Court and the directions issued to be complied with within a further

period of three months from today.

Contempt Petition disposed of according. No
order as to costs.

F. I. REBELLO, J.

mc.