

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL UNDER ARBITRATION ACT NO. 9 OF 2003

STATE OF GOA

....Appellants

Versus

SHRI ARCANJO NORONHA,MARGAO-GOA.

....Respondents

SHRI P.A.KAMAT,GA,SHRI S.S.KANTAK

Coram:- A.M.KHANWILKAR, J.

Date:- 18th December, 2003

P.C.:

Heard for final disposal forthwith, by
consent.

It is fairly conceded by the learned
counsel appearing for the respondents
that the view taken by the Court below
in the impugned Order that the question
cannot be gone into at this stage,
cannot be sustained in view of the
decision of our High Court as reported
in 2003(2) LJSOFT (URC) 41 in the case
of Omnibus Industiral Development
Corporation of Daman & Diu and Dadra &
Nagar Haveli Ltd. vs. M. N. Dhanani.

In the circumstances, the Order is set
aside only on this count and the matter
stands remitted to the file of the
Additional District Judge, South Goa at
Margao, who shall act in compliance with
the observations made in the case of
Omnibus Industrial Development

Corporation of Daman and Diu and Dadra
Nagar Haveli (supra), and pass
appropriate orders in that behalf.
The Appeal stands disposed of on the
above terms. It is made clear that all
other questions are left open.

A.M.KHANWILKAR, J.