

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.206 OF 2019

Maria do Carmo Ribeiro de
Santana Costa Martins & Anr.

... Petitioners

Versus

Emilio Carlos Antonio Jude
Thadeus Costa Martins

... Respondent

Shri A.R. Kantik, Advocate for the Petitioners.

Shri T. Vaz, Advocate for the Respondent.

Shri Gaurish Nagvekar, Additional Public Prosecutor for the State.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 2nd September 2020

P.C. :

Today, through a separate order, I required the SHO, Canancona Police Station, and the District Collector, North Goa, to file reports before this Court in two weeks. The reports to be filed relate to the steps they have so far taken to attach the respondent's movable and immovable properties.

At that juncture, the respondent's counsel has offered on his client's behalf ₹10,000/- to be paid to the petitioners. Given the accumulated arrears—close 15 lakh—and given the respondent's earlier conduct of undertaking to pay and violating those undertaking over and over again, the Court is disinclined to accept that amount. It cannot be called even a pittance compared to the accumulated arrears. Then, the Court has suggested to the respondent's counsel, who evinced genuine interest in resolving the issue, to convince the respondent to deposit some

substantial amount to prove his bona fides.

After accepting this suggestion, the respondent's counsel has also conveyed to me the respondent's willingness for a negotiated settlement—as he calls it, one time settlement. If at all the respondent is serious in his approach, this Court does not want to come in his way. Therefore, I request the learned counsel for both the parties to sit together as per their convenience, work out a possible solution, and put it to their respective clients, besides informing this Court. As the learned counsel are, first and foremost, the officers of the Court, I appreciate their efforts. To enable them to negotiate the dispute, I adjourn the matter by weeks. Post the matter on 18.09.2020.

DAMA SESHADRI NAIDU, J.

NH