

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3317/2020

ROSALINA DE SOUZA

APPELLANT(S)

VERSUS

THE MEMBER SECRETARY & ANR.

RESPONDENT(S)

O R D E R

1. In terms of the statement of learned counsel appearing for the appellant recorded in order dated 25th September, 2024, an affidavit of undertaking affirmed by the appellant in London on 30th November, 2024 has been filed. In the undertaking, the appellant has stated thus:

"2. In compliance of the order dated 25.09.2024 passed by this Hon'ble Court, I hereby give this unconditional undertaking, as directed by this Hon'ble Court, to use the premises which is the subject matter of the present appeal, only for the purposes of dwelling. It is further stated that the factory has remained non-operational for a period exceeding six years.

3. If in the future there is any change in the law/policy of the government of Goa, liberty may be reserved for me to apply in accordance with law after obtaining necessary directions from this Hon'ble Court.

4. That the contents of this affidavit, along with this Hon'ble Court's order dated 25.09.2024 have been explained to me, and I have fully understood the contents thereof."

2. We take the undertaking on record and accept the statements made therein.

3. In view of what is recorded in the last part of the impugned order dated 7th September, 2018, the structure in possession of the appellant will remain protected so long as the appellant continues to comply with the aforesaid undertaking.

4. With the above directions, the appeal is disposed of.

5. Pending application(s), if any, shall stand disposed of.

.....J.
(ABHAY S.OKA)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
DECEMBER 4, 2024.

ITEM NO.19

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.3317/2020

ROSALINA DE SOUZA

Appellant(s)

VERSUS

THE MEMBER SECRETARY & ANR.

Respondent(s)

(IA No. 92486/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 92926/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 92485/2020 - STAY APPLICATION)

WITH

C.A. No. 3318/2020 (XVII)

IA No. 91513/2020 - EX-PARTE STAY, IA No. 91515/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 91512/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 04-12-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Ms. Anitha Shenoy, Sr. Adv.
Ms. Rashmi Nandakumar, AOR
Ms. Ayushma Awasthi, Adv.
Ms. Yashmita Pandey, Adv.

For Respondent(s) Mr. Surjendu Sankar Das, AOR
Mr. Harshit Dhamija, Adv.

Ms. Shirin Khajuria, Sr. Adv.
Ms. Ranu Purohit, AOR
Ms. Swati Tiwari, Adv.
Ms. Niharika Singh, Adv.

Mr. Shantanu Awasthi, AOR

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No.3317/2020

The appeal is disposed of in terms of the signed order which is placed on the file.

Pending application(s), if any, shall stand disposed of.

Civil Appeal No. 3318/2020

List the appeal on 19th December, 2024.

(KAVITA PAHUJA)
AR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)