

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 105 OF 2015

Mr. Ulhas Narayan Naik,
S/o Narayan Naik,
R/o La Campala Colony,
Miramar, Panaji, Goa.

..... Petitioner

V e r s u s

Shri Ricardo Abilio Po,
R/o H. No. 31,
Nagzarwada, Bicholim, Goa.
Through his Power of Attorney
Mr. Peter Apolino Po,
R/O H. No.31, Nagzarwada,
Bicholim, Goa and anr.

..... Respondents

Mr. C. Fonseca, Advocate for the Petitioner.

Mr. Deepak Gaonkar, Advocate for Respondent no.1.

Ms. P. Kamat, Advocate for Respondent no.2.

CORAM: N. M. JAMDAR, J.

DATE: 10TH MARCH, 2015.

ORAL ORDER:

After arguing the matter for some time, learned counsel for the parties state that the petition can be disposed

of with the following directions and no reasons in support thereof be given. Accordingly by consent, the petition stands disposed off in the following terms:

- (a) The impugned order dated 14 January, 2015 is quashed and set aside.
- (b) The application of the petitioner to summon the witnesses Mr. Naikwad, Ex-Manager, Canara Bank, Bicholim and Mr. Pradip Joshi, LIC Agent, is allowed, however, subject to the condition that the petitioner deposits 50% (fifty percent) of the suit claim in the Court of Civil Judge Senior Division, Bicholim, without prejudice to his rights and contentions, within a period of two weeks from today.
- (c) The petitioner will not seek needless adjournments in the suit.
- (d) The Trial Court will lay down a timetable in respect of the evidence of the petitioner. The time table will be framed considering the facts and circumstances of the case, and the earlier order passed by this Court in Writ Petition No. 805/2012.

2. Writ petition is disposed of in the above terms.

N. M. JAMDAR, J.

Ap/-