

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 268 OF 2015

IN

SECOND APPEAL NO. 20 OF 2010

SHRI MICHAEL FERNANDES AND ANR., ... Applicants

Versus

MR.TITO CAETANO COUTINHO @ CAETANO
FRANCISCO COUTINHO, REP.BY
ATTORNEY MRS.KAMLA K. NAIK AND 3
ORS.,

... Respondents

Mr. Ryan Da Piedade Menezes, Advocate for the Applicants.

Coram:- M. S. SANKLECHA, J.

Date:- 15th April, 2015

P.C.:

This application seeks recall of the orders dated 30/01/2015 and 17/03/2015 passed by this Court.

2. The petitioners on 19/11/2014 had already served the legal heirs of respondent no.1 by publication in 'The Navhind Times' and 'Gomantak' (local newspapers). However, when the matter was heard on 30/01/2015 and 17/03/2015, this Court directed that notice be issued to the newly added respondents i.e. legal heirs of respondent no.1. This is because the petitioners had failed to point out that the newly added respondents have already been served on 19/11/2014 by publication.

3. In view of the above, as the newly added respondents have already been served, the orders dated 30/01/2015 and 17/03/2015 are recalled. The appeal could now be listed on board for admission in due course. This application is made absolute in terms of prayer clauses (a),(b) & (c).

M. S. SANKLECHA, J.

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