

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO. 434 OF 2015

IN/AND

MISC.CIVIL APPLICATION NO.165 OF 2015

IN

SECOND APPEAL NO.81/2009

MRS. PRABHAVATI PRABHAKAR NAIK
THROUGH POWER OF ATTORNEY
SHAILESH NAIK.

..... APPLICANT.

V/S.

PRAKASH SURYAJI POI
PANANDIKAR (SINCE DECEASED)
THROUGH LRS. AND ORS.

..... RESPONDENTS.

Mr. D. J. Pangam, Advocate for the applicant.

Mr. C. A. Coutinho, Advocate for the respondents No.3 and 4.

Mr. H. Halarnkar, Advocate for the respondents No.5 and 6.

CORAM :- F.M. REIS, J.

Date : - 30 JULY 2015.

P.C. :

Heard Mr. D.J. Pangam, learned Counsel appearing for the applicant, Mr. C.A. Coutinho, learned Counsel appearing for the respondents No.3 and 4 and Mr. H. Halarnkar, learned Counsel appearing for the respondents No.5 and 6.

2. During the course of hearing of the above applications, it was pointed out that this Court had passed a conditional order dated 8th August, 2014 that the appeal would stand dismissed as against the respondent No.1 in case steps were not taken to bring his LR's. on record. The learned Counsel also pointed out that the LR's. of the deceased respondent No.1 were already on record and as such, the question of again bringing the LR's. on record, would not arise. In such, circumstances, I find that the order dated 8.8.2014 deserves to be recalled to the extent it directs that the appeal would stand dismissed as against the respondent No.1.

3. In view of the above, both the applications stand disposed of.

F.M. REIS, J.

ssm.