

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 249 OF 2016

DR. SHRI. M. JAGANNATHAN, (SINCE
DECEASED) THROUGH HIS LRS.

... Petitioner

Versus

M/S MENINO ASSOCIATES REP. BY ITS
PARTNERS AND ANR.,

... Respondents

Shri J. Ramaiya, Advocate for the Petitioners.

Shri P. Arolkar, Advocate for Respondents No.1(a), 1(b) & 1(c).

Coram:- C. V. BHADANG, J.

Date:- 22nd July, 2016

P.C.:

The order impugned is dated 31/10/2015 by which the Executing Court had ordered the judgment debtor to pay the amount within a period of six months, which period has already expired. That apart, the judgment debtor has paid a total amount of Rs.1,01,61,600/- (Rupees One Crore One lakh Sixty One Thousand Six Hundred only). In any event, in view of the order which is challenged in this petition nothing survives in the same.

2. The petition is disposed off as infructuous with no order as to costs. Needless to mention that the decree holder shall be entitled to move the executing Court for recovery of the balance, if any. If such an application is made, the executing Court shall decide the same, on its own merits, in accordance with law.

C. V. BHADANG, J.

NH