

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 817 OF 2015

SHRI.VISHNU NAROTTAM RAIKAR AND
ANR.,

... Petitioners

Versus

MRS.OLIVE G. D'MELLO.

... Respondent

Mr. S. D. Lotlikar, Senior Advocate with Adv. M. Furtado for the
Petitioners.

Adv. A. D. Bhobe for Respondent.

Coram:- C. V. BHADANG, J.

Date:- 28th March, 2016

P.C.:

Heard Shri Lotlikar, the learned Senior Counsel for the
petitioners and Shri Bhobe, the learned counsel appearing for the
respondent.

2. After the matter was heard for some time, it transpired that the
order challenged in this petition is the one under Rule 2A r/w rules
11 of Order 39 of C.P.C., which is appealable under the provisions of
Order 43 Rule 1(r) of C.P.C. Faced with this situation, the learned
Senior Counsel for the petitioners, on instructions, seeks permission
to withdraw the writ petition as the petitioner intends to take recourse
to the remedy of appeal. In such circumstances, the petition is
disposed as withdrawn. It is made clear that this Court has not

expressed any opinion on merits of the controversy.

C. V. BHADANG, J.

ap/-