

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 458 OF 2017

IN

CIVIL APPLICATION (REVIEW) NO. 33 OF 2016

COMMUNIDADE OF PILERNE, REP. BY
ITS ATT., SHRI. ESTIFANO C. D'
MELLO.,

... Applicant

Versus

COMMUNIDADE OF SANGOLDA, REP BY
ITS ATT., SHRI. NEVILLE D'SOUZA.,

... Respondent

Shri Gaurang D. Panandiker, Advocate for the Applicant.
Shri J.F. Melo, Advocate for the Respondent.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 19th June, 2017

P.C.:

This is an application for speaking to the minutes of the order dated 10/02/2017 passed by this Court in Civil Application (Review) No.33/2016.

2. Shri J.F. Melo, learned Advocate for the respondent raised objection to the formulation of the fourth substantial question of law on the premise that the same could be considered at the time of hearing the appeal on merits. The fourth question which was earlier formulated for determination was whether the findings of the Hon'ble District Court were perverse, without the application of mind and bad in law. In any event, this question would

otherwise fall for scrutiny while appreciating the appeal on merits. In these circumstances the formulation of the question is found essential for hearing the appeal on merits. Liberty is given to the respondent to oppose such a question arising for determination at the time of the hearing of the appeal on merits.

3. In these terms, the application stands disposed off.

NUTAN D. SARDESSAI, J.

NH