

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 725 OF 2017

FRANCIS ANDRIAN FERNANDES, THR.
POA ORLINDA GERALDINE FERNANDES
AND ANR.,

... Petitioners

Versus

BENJAMIN GABRIEL FERNANDES.,

... Respondent

Mr. Iftikhar Agha, Advocate for the Petitioners.

Mr. V.R. Tamba with Mr. P. Sawant, Advocates for the
Respondent.

Coram:- C. V. BHADANG, J.

Date:- 22nd November 2017

P.C:

Heard for some time.

2. Mr. Agha, the learned Counsel for the petitioners, on instructions, seeks leave to withdraw the petition with liberty to challenge the order in appeal, in the event, the decree passed in the suit is adverse to the petitioners.

3. Needless to mention that under Section 105 of CPC, the party can always challenge such an order, if, the ultimate result in the suit is adverse.

4. In such circumstances, the petition is disposed of as withdrawn, with no order as to costs, with liberty as prayed.

5. Needless to mention that the ad-interim relief granted by this Court on 16.08.2017 stands vacated.

C. V. BHADANG, J.

EV