

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 883 OF 2017**

DOLPHIN ADVENTURE SPORTS LTD.,
REP. BY ITS M.D., MALCOLM COELHO
AND ANR.,

... PETITIONERS

Versus

BANK OF GOA LTD., FORMERLY KNOWN
AS MAPUSA URBAN CO-OP. BANK LTD.,
THR. ITS BANK MANAGER AND 4 ORS.,

... RESPONDENTS

Mr. Shivan Desai, Advocate for the Petitioners.

Mr. Esperdiao Dias Do Rosario, Advocate for Respondent nos.4 & 5.

Coram:- C. V. BHADANG, J.

Date:- 15th November 2017.

P.C.:

On hearing the learned counsel for the parties, the petition is disposed of in the following terms by consent:

(i) The trial court shall consider the aspect of the presence of DW2 in the Court during the examination of DW1 while appreciating the evidence of DW2 and while considering the probative value to be attached to his evidence, as held by this Court in the case of **Lloyd Sequeira Vaz and anr.**

Vs. Inacio Albano Lourenco and others in W. P. No.48 of 2007 decided on

23/2/2007 and the decision in the case of **Indur Kartar Chhugani Vs. Priya Sunil Dutt** (M.S) 2011 (3) Mh.L.J. 266.

(ii) In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

Ap/-