

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 974 OF 2017

EPIFANIA ANGELA SOARES E
FERNANDES.,

... Petitioner

Versus

INDIRA ARENA MARTHA MENEZES AND 3
ORS.,

... Respondents

Mr. Nigel Da Costa Frias, Advocate for the Petitioner.

Mr. Sudin Usgaonkar, Senior Advocate with Mr. Kishan Padgaonkar, Advocate for the Respondent Nos. 3 and 4.

Coram:- C. V. BHADANG, J.

Date:- 27th November 2017

P.C:

The learned Counsel for the petitioner, on instructions, seeks leave to delete respondent nos. 1 and 2(a) to 2(g).

2. Leave to delete respondent nos. 1 and 2(a) to 2(g) is granted, at the risk of the petitioner. Necessary deletion to be carried out forthwith.

3. Heard.

4. By consent of parties, the petition is disposed of as under:-

(a) The impugned order is hereby set aside.

(b) The application (Exhibit D/100) is remitted back to the learned Trial Court, for deciding it afresh in accordance with law and in the light of the provisions of Order XXVI, Rule 10-A of CPC and Sections 45 and 73 of the Evidence Act.

(c) The petition is disposed of in the aforesaid terms.

C. V. BHADANG, J.

EV