

IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 39 OF 2018

VETKESH SURESH CHALWADI @
MULGUND.,

... Appellant

Versus

DANIEL CAPSY GOMES AND 2 ORS.,

... Respondents

Shri E. Afonso, Advocate for the Appellant.
Shri C. Fonseca, Advocate for the Respondent No.3.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 18th July 2018

P.C.

Since additional new documents are allowed to be produced on record, the impugned judgment and award is quashed and set aside and the matter is remanded to the learned MACT, North Goa, Panaji, to allow an opportunity to the petitioner to lead additional evidence on the records and with liberty to the respondents to lead further evidence, if any, and decide the petition afresh without being influenced by its earlier findings on the contributory negligence of the appellant.

2. In view thereof, the first appeal stands disposed off.

3. The parties are directed to appear before the learned MACT, North Goa, Panaji, on 31.07.2018 at 10.00 hours. The learned

MACT is directed to decide the petition afresh as expeditiously as possible within three months from today, latest by 31.10.2018.

NUTAN D. SARDESSAI, J.

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