

IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 51 OF 2017

MENINA DIAS E FERNANDES., ... Appellant

Versus

JOSE INACIO FERNANDES AND 3 ORS., ... Respondents

Adv. Shivan Desai for the Appellant.
Adv. Valmiki Menezes for Respondent nos.1 To 4.

Coram:- C. V. BHADANG, J.

Date:- 20th June 2018

P.C.:

Shri Desai, the learned counsel for the appellant, on instructions, seeks leave to withdraw the appeal.

2. It is submitted that an objection to the listing of the bakery is pending before the Civil Judge, Junior Division at Margao being Inventory Proceedings No.176/2003/F. It is submitted that this Court may clarify that the observations and findings in the impugned judgment in this appeal may not come in the way of the appellant while pursuing the objections before the Inventory Court.

3. On hearing the learned counsel for the parties the Second Appeal is disposed off as withdrawn. Needles to mention that the

Inventory Court shall decide the objection on its own merits and in accordance with law, without being influenced by the observations and findings in the judgments impugned in this second appeal. In the circumstances there shall be no order as to costs. Decree be drawn accordingly.

C. V. BHADANG, J.

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