

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 495 OF 2018

VICTORINO ANTONIO FERNANDES, THR.
HIS DULY CONST. ATTORNEY, ROQUE
CHRYSOSTOM ALBURQUERQUE., ... Petitioner

Versus

SALVADOR MIGUEL FERNANDES ALIAS
SALVADOR MINGUEL FERNANDES AND
ANR., ... Respondents

Mr. S. Usgaonkar, Senior Advocate with Adv. Palyekar Vinita
Vishram for the Petitioner.
Adv. Shane Gomes Pereira for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 4th July 2018

P.C.:

Heard Shri Usgaonkar, the learned Senior counsel for the Petitioner and Shri Pereira, the learned counsel appearing for the respondents. The respondents have filed a reply giving no objection for allowing the petition and granting opportunity to the petitioner to lead evidence.

2. Shri Usgaonkar, the learned Senior Counsel for the petitioner points out that the Affidavit-in-Evidence was ready and a copy was already served on the respondents.

3. By consent of parties, the following order is passed:

ORDER:

(i) The petition is allowed. The impugned order is hereby set aside.

(ii) The petitioner shall be permitted to lead his evidence. The witness shall remain personally present before the trial court on the next date or any other date as may be fixed by the trial court.

4. The petition is disposed of in the aforesaid terms.

C. V. BHADANG, J.

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