

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 733 OF 2017

MAHENDRA DINANATH PRABHU AND ANR., ... Petitioners

Versus

ROQUE FELIX DE SOUZA (DEC) AND 12
ORS.,

... Respondents

Shri Jayant Pandurang Mulgaonkar, Advocate for the Petitioners.

Shri Vilas P. Thali, Advocate for the Respondent No. 2(a).

Coram:- C. V. BHADANG, J.

Date:- 4th April 2018

P.C.

Heard for some time.

2. The petition is disposed of by consent of parties in the following terms:

(a) The petition is allowed.

(b) The impugned order is hereby set aside.

(c) The petitioners shall file an application for condonation of delay before the learned District Judge, within a period of two weeks from today.

(d) The learned District Judge shall hear the application for condonation of delay along with the application for leave to appeal, on its own merits and in accordance with law.

- (e) The learned District Judge shall decide both the applications as expeditiously as possible and preferably within a period of four months from the receipt hereof.
- (f) The statement on behalf of the respondent no. 2(a) that they will not press for execution of warrant of possession, shall continue for a period of four months from today.
- (g) Rival contentions of the parties are left open.
- (h) In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

EV