

IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 271 OF 2008

M AND M CONSTRUCTIONS

... Appellant

Versus

**GOA TILLARI IRRIGATION DEVELOPMENT
CORPORATION REP. MANAGING DIRECTOR**

... Respondent

**Mr. D. J. Pangam, Advocate for the Appellant.
Ms. S. Linhares, AGA for Respondent no.1.**

Coram:- C. V. BHADANG, J.

Date:- 8th February 2018

P.C.:

For reasons to be separately recorded the following order is passed:

Order:

i) The appeal is partly allowed. The impugned judgment and decree is hereby set aside.

ii) Special Civil Suit No.23/2001/B is remanded to the Court of the learned Senior Civil Judge at Panaji, for disposal according to law.

iii) The parties shall be entitled to produce documents and lead oral evidence, if any and if so advised.

- iv) The trial court shall decide the suit as expeditiously as possible and preferably within a period of one year from the date of receipt of the order.
- v) Parties to co operate for the time bound disposal of the suit.
- vi) Parties to appear before the trial court on 6/3/2018.
- vii) Rival contentions of the parties are left open.
- viii) In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

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