

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 1 OF 2019

CECIL FERNANDES AND ANR. ... Appellants
Versus
DERRICK BARNES. ... Respondent

Shri J.E. Coelho Pereira, Senior Advocate with Shri Bernard Fernandes, Advocate for the appellants.

Shri K. Salatry, Advocate for the respondent.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 2nd April 2019

P.C.:

Heard Shri J.E. Coelho Pereira, learned Senior Advocate for the appellants and Shri K. Salatry, learned Advocate for the respondent.

2. Without going into the merits and contentions of the parties and to bring a quietus to the matter, the appellants are directed to furnish a Bank Guarantee in the amount of ₹15,00,000/- to the satisfaction of the Trial Court within two weeks from today. As a sequel thereto, the impugned order declining to condone the delay is quashed and set aside and the ex-parte judgment and decree is set aside subject to the appellants' paying the cost of ₹10,000/- to the respondent.

3. In these terms the Appeal from Order stands disposed off.

4. The parties are directed to appear before the Court of Senior Civil Judge, 'C' Court, Mapusa on 12/04/2019 at 10.00 hours.

5. The Civil Application accordingly stands disposed off.

NUTAN D. SARDESSAI, J.

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