

IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 29 OF 2019

THE GOAN RESIDENTIAL RESORTS
CO-OP. HOUSING SOCIETY LTD., THR.
ITS AUT. MEMBER, COLLIN D'SOUZA., ... Appellant

Versus

TUKARAM B. MANE AND 5 ORS., ... Respondents

Shri Parag S. Rao, Advocate for the Appellants.
Shri Yogesh V. Nadkarni, Advocate for the Respondent No.1.
Shri T. Vaz, Advocate for the Respondent No.2.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 4th March 2019

ORAL ORDER :

Heard Shri Parag S. Rao, learned Advocate for the appellant and Shri Y.V. Nadkarni, learned Advocate for the respondent no.1. None for the respondent no.6. Shri T. Vaz, learned Advocate submits that he has instructions to appear on behalf of the respondent no.2 and would file his Wakalatnama in the Registry within a week from today.

2. Learned Advocate for the respondent no.1 concedes that the order under challenge could be set aside and the matter remanded to the Trial Court to decide afresh after conducting an inquiry in accordance with law.

3. In view thereof, the impugned order is quashed and set aside and the matter is remanded to the Trial Court to hold an inquiry and decide the matter afresh.

NUTAN D. SARDESSAI, J.

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