

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 14 OF 2019

SURYAKANT FATU SHETGAONKAR., ... Petitioner

Versus

TANU YESHWANT SHETGAONKAR., ... Respondent

Ms. Annelise Fernandes, Advocate for the Petitioner.
Mr Nehal Vernekar, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 11th July 2019

P.C.

Heard the learned Counsel for the parties.

2. The only contention raised on behalf of the petitioner is that no opportunity of oral hearing was granted by the learned District Judge before deciding Misc. Civil Appeal No.101/2017. The petitioner has filed an affidavit of Advocate Shri P. T. Korgaonkar to that effect.

3. In such a situation, it is for the petitioner to move the learned District Judge with an appropriate application inasmuch as it is only the Court which passed the judgment and order which would be in a position to decide any such issue.

4. In such circumstances, the petition is disposed off with liberty to the petitioner to move the learned District Judge with an appropriate application for recall of the impugned judgment, if so advised. If such an application is filed, the learned District Judge shall decide the same on its own merits and in accordance with law.

5. The rival contentions of both the parties are left open.

6. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

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