

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 783 OF 2019****JOSEPH LOBO****... Petitioner****Versus****THOMAS FERNANDES AND ANR.,****... Respondents**

Adv. Ashwin D. Bhobe for the Petitioner.

Adv. J. Godinho for the Respondent no.1.

Adv. Terence Vaz for Respondent no.2(a).

Coram:- DAMA SESHADRI NAIDU, J.**Date:- 20th January, 2020.****P.C.:**

The respondents filed a civil suit, seeking declaratory and injunctive reliefs. The declaration concerned their easmentary rights, and the injunction, their right to access their property through the petitioner's property. The trial Court dismissed the suit.

Aggrieved, the respondents filed Regular Civil Appeal No.89/2018. In that appeal, the Appellate Court wanted the petitioner to maintain *status quo*. First, the petitioner is said to applied for recall of the Appellate Court's order of *status quo* but could not succeed. Then, he has filed this writ petition.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. I reckon, in fact, both the learned counsel agree that the appeal is

ripe for disposal before the first appellate court. The respondents' counsel informs me that they have already filed their written arguments before the Appellate Court.

Under these circumstances, without adverting to the merits of the matter, I close this writ petition, holding that the first Appellate Court will make every endeavour to ensure that the First Appeal is disposed of expeditiously.

No order on costs.

DAMA SESHADRI NAIDU, J.

ap/-