

IN THE HIGH COURT OF BOMBAY AT GOA

WP/796/2019

NIZAMUDDIN MAMOD
AGA.,

..... PETITIONER

VS

KUSTA PANDU
CHORLEKAR

..... RESPONDENT

Mr. A. D. Bhobe, Advocate for the Petitioner.

Mr. S. S. Kantak, Senior Advocate with Mr. Amey A. Phadte, Advocate for the Respondent.

CORAM: M. S. SONAK, J.

DATE : 22nd June, 2021.

Oral Order:

Heard Mr A D. Bhobe, the learned counsel for the Petitioner and Mr. S. S. Kantak, the learned counsel for the respondent.

2. After this matter was argued for some time, the learned counsel for the parties based on instructions agreed that this petition can be disposed of by making the following order:

ORDER:

(i) The statement made by Mr. S S. Kantak, the learned Senior Advocate instructed by Mr. Amey Phadte, Advocate for the respondent that the respondent will not undertake any construction at the suit site until the disposal of Regular Civil Suit No.6/2019 is accepted.

(ii) The learned counsel for the parties state that this statement is made on the express instructions from the respondent.

(iii) The respondent is directed to act accordingly.

- (iv) The trial Judge is directed to dispose of the R.C.S NO.6/2019 as expeditiously as possible, and, in any case, within a period of nine months from the date the parties file authenticated copy of this order.
- (v) The suit will have to be disposed of on its own merits and in accordance with law based on the evidence the parties produce. The trial Court should not be influenced by any of the interim orders made and will have to decide the suit on its own merits and in accordance with law.
- (vi) The learned counsel for the parties assure this Court that they will co-operate with the learned Trial Court in the matter of expeditious disposal of the suit. They assure this Court that the advocates appearing before the trial Court will not seek any adjournments in the matter.
- (vii) The parties to produce authenticated copy of this order on the next date granted in the suit.
- (viii) All concerned to act on authenticated copy of this order.

M. S. SONAK, J.

Ap/-