

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

**SECOND APPEAL NO.60 OF 2019
AND
CIVIL APPLICATION NO.143 OF 2019**

FELICIA GOMES @ MARIA
FELICIA GOMES AND 8 ORS. ... APPELLANTS

Versus

MILTON COUNTINHO @
MILTON SEBASTIAO JOSE
COUTINHO AND 25 ORS. RESPONDENTS

None present.

CORAM: M. S. SONAK, J.

DATE : 24th NOVEMBER 2022

P.C. :

1. On 11.11.2022, this Court made the following order :

“P.C.:

- 1. None for the appellants.*
- 2. On 8 September 2022, this Court made following order:-*

“1. The record indicates that no steps have been taken to re-serve the Respondent Nos.13 to 26. Accordingly, four weeks time is granted to take steps. If no steps are taken within four weeks, then, this appeal to stand dismissed as against the unserved Respondents.

- 2. After that, place the appeal for orders to consider whether the same survives against the remaining Respondents.”*
- 3. Despite the order, no steps were taken to reserve the respondent nos.13 to 26 accordingly, appeal is dismissed against unserved respondents.*
- 4. Today, as noted earlier, there is no appearance on behalf of the appellants to urge that appeal survives against remaining respondents. However, by way of last opportunity, matter is adjourned to 24 November 2022. However, if on 24 November 2022, the same position continues, this Court will consider dismissing the appeal for non-prosecution.”*

2. Today, when the matter is called out, the same position continues. Therefore, this Second Appeal is dismissed for non-prosecution.

3. The civil application does not survive and the same is also dismissed for non-prosecution.

M. S. SONAK, J.

NITI K
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