

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL FROM ORDER NO.16 OF 2018

PEREIRA PROPERTY DEVELOPERS, REP.
BY ITS SENIOR PARTNER, PERCIVAL
JOSEPH PEREIRA AND 3 ORS., ... APPELLANTS

Versus

TONY PASCOAL FERNANDES AND ANR., ... RESPONDENTS

Mr. C. A. Coutinho, Advocate for the Appellants.
Mr. Jatin Ramaiya, Advocate for the Respondent nos. 1 and 2.

CORAM:- G. S. KULKARNI, J.

DATED :- 1st December, 2022

P.C.

Heard learned Counsel for the parties.

2. This appeal has been filed assailing order dated 16 January, 2018, whereby the learned Adhoc III, Additional Senior Civil Judge, Margao, has rejected the appellants'-plaintiffs' application praying for temporary injunction. The appeal has remained pending. There was no interim order passed on the appeal. The situation of the appellants-plaintiffs remaining without temporary injunction has subsisted for atleast four years. In the suit, as of now, evidence of the plaintiffs is being recorded.

3. In my opinion, in these circumstances, it would be appropriate, in the interest of justice, if the parties are left to assess their contentions in the pending suit. The suit being of the year 2017, needs to be expeditiously decided. Parties are requested to make a request to the learned Trial Court for the early disposal of the suit.

4. All contentions of the parties are expressly kept open.

5. Disposed of. No costs.

6. Civil Applications, if any, shall not survive and are accordingly disposed of.

G. S. KULKARNI, J.

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