Vinita

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO.846 OF 2017

MARIA LALITA BRAGANZA AND ANR., …Petitioners.
VS
ANJALI REAL ESTATES PVT. LTD. AND 6 ORS., …Respondents.

Mr. R. Menezes and Ms. N. Pimenta, Advocates for the petitioners.
Mr. G. Agni, Advocate for the respondent nos.3(C and D) and 4
Mr. R. Kantak, Advocate for the respondent no. 4.

CORAM: G. S. KULKARNI, J.
DATE: 15 SEPTEMBER 2022.

P.C.:

1. Heard learned counsel for the parties. The order impugned is order dated 19.10.2016 passed by the learned Ad-hoc Senior Civil Judge, Panaji, whereby an application filed by the respondent nos.3 and 4 (legal heirs of Shri Krishna R. Thakur and Vassudev Shriram Raikar) has filed under Section 10 of the CPC, was allowed in in terms of following order:-

> *Application is allowed*
> *SCS.112/1989/A and SCS.113/1989 are stayed until SCS.173/1987/A reaches the stage common to the*

last adjourned stage of both these suits.
Pronounced in the open Court

2. There is consensus at the bar that a suit bearing Special Civil Suit no.173/1987/A has proceeded and is at the stage of the evidence of the parties being recorded. In so far as other two suits are concerned only Special Civil Suit no.112/1989/A and Special Civil Suit no. 113/1989 have remained stayed by such order which had reached the stage of the evidence of parties and had stood concluded. Thus, the intention of the Court is quite clear that once all the suits reach a common stage, then the court can adopt an appropriate course of action.

3. In my opinion, it would be appropriate that the evidence of the parties in Special Civil Suit no.173/1987/A be completed, then it would be open for the learned Judge to take appropriate course of action. In fact all the three suits are required to be adjudicated as expeditiously as possible as these suits are of the year 1987 and 1989 respectively.

4. Needless to observe that parties shall cooperate in early disposal

of the proceedings of all the suits. All contentions of all the parties on merits of the suits are expressly kept open.

5. Writ petition disposed of in above terms.

G. S. KULKARNI,J.

VINITA VIKAS NAIK Digitally signed by VINITA VIKAS NAIK
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