

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO.707 OF 2019.

DYNESHWAR P. SAWANT., ...Petitioner

VS

GOPAL SAWANT AND ANR., ...Respondents.

Mr. G. Usgaonkar, Advocate for the petitioner.

Mr. V. A. Lawande, Siddesh Desai and Mr. P. Redkar, Advocates
for the respondent no.1.

Mr. P. Faldessai and Ms. P. Tari, Advocates for the respondent no.
3.

CORAM. A. K. MENON, J.

DATE: 31st March, 2022.

P.C.:

1. Having heard the learned counsel for the parties, both sides today agreed that order dated 9.10.2018 passed in Civil Revision Application No.44 of 2017 may be set aside by consent and that said CRA must be heard a fresh reserving liberty to both sides to file additional documents, if any, in support of their respective contentions.

2. In view of the above, I pass the following order:–

(i) The impugned order dated 9.10.2018 passed in Civil Revision Application No.44 of 2018 is quashed and set aside.

(ii) Civil Revision Application No. 44 of 2018 is restored to the file of the trial Court. Parties are directed to remain present before the trial Court on 11.4.2022.

(iii) The trial Court is required to fix a appropriate date for hearing this matter.

(iv) Needless to mention that the trial Court will not be influenced by any observations made in this order and shall hear and dispose of the matter on merits and in accordance with law.

(v) Additional affidavits shall be filed on 11.4.2022.

(vi) All issues are kept open for an appropriate decision.

3. Writ Petition stands disposed of in the aforesaid terms.

A. K. MENON, J.