

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO.392 OF 2021

SANTU GUNO PODIYAR AND ANR. ...Petitioners.
VS
SHAWN FURTADO AND ANR. ...Respondents.

Mr. A. Bhobe, Advocate for the petitioners.

CORAM: G. S. KULKARNI, J.
DATE: 7 SEPTEMBER 2022

P.C.:

1. This petition was heard for some time. Mr. Bhobe, learned Counsel for the petitioners has placed on record a statement signed by the petitioner no.1 stating that the petitioners seeks leave to withdraw this petition and praying that this Court be pleased to direct learned trial Judge to decide the suit on its own merits without being influenced by the observations of the learned Appellate Court as also that the suit be expedited.

2. Petitioner's statement as tendered is taken on record and marked "X" for identification.

3. In my view, such plea of the petitioners is required to be allowed. Writ Petition is accordingly disposed of, permitting the petitioner to raise all contentions in the pending suit. Needless to

observe that observations as made in the interim proceedings are prima facie and the learned, the trial Judge would decide the suit on its own merits and without being influenced by prima facie observations which are made in the impugned order. The petitioners shall make an application before the trial Court for early hearing of the suit which will be considered by the trial Court, so that the suit can be disposed of expeditiously.

G. S. KULKARNI, J.

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