

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 53/2019
WITH
MISC. CIVIL APPLICATION NO.606/2019

SALVADOR D'MELLO., ... Petitioner.

Versus

GEATRUDE D'SOUZA., ...Respondent.

Mr Sahish Mahambrey, Advocate for the Petitioner.

CORAM : M. S. SONAK, J.

DATE : 23rd June 2023

P.C. :

1. Mr Mahambrey, learned Counsel for the Petitioner points out that Regular Civil Suit No. 38/2016, in which the impugned order was made, has been dismissed for non-prosecution. Accordingly, he fairly submits that this Petition will not presently survive and should be dismissed.
2. Mr Mahambrey, however, submits that should the suit be restored, then, liberty be granted to the Petitioner to seek revival of this Petition.
3. Accordingly, this Petition is disposed of as presently infructuous. However, if the Regular Civil Suit No.38/2016 is restored, liberty is granted to the Petitioner for revival of this Petition.
4. The Petition is disposed of accordingly, with liberty as above.

5. Misc. Civil Application will not survive the disposal of the Petition.

M. S. SONAK, J.