

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.717 OF 2019

IN

STAMP NUMBER MAIN NO.4317 OF 2018 (F)

GAURISH PEREIRA AND ANR.,

... APPLICANTS

Versus

KAMLAKANT S. SAWANT AMONKAR.,

... RESPONDENT

Mr L. Raghunandan holding for Mr Deep Shirodkar, Advocate for the Applicants.

CORAM:- M. S. SONAK, J.

DATED :- 9th November, 2023

P.C.:

Mr L. Raghunandan holding for Mr Deep Shirodkar points out that the appeal in which this application for condonation of delay is taken out was filed to set aside ex-parte judgment and decree dated 22.03.2018 in Special Civil Suit No.18/2016/B before the Ad-hoc Senior Civil Judge, Panaji.

2. He points out that simultaneously with the institution of this appeal, the Appellants/Applicants have also filed an application for setting aside the ex-parte decree. He further points out that by order dated 10.05.2022 this application has since been allowed subject to payment of cost of Rs.7000/- as a condition precedent.

3. Mr L. Raghunandan states that the costs have been paid and consequently, ex-parte decree is set aside and Special Civil Suit No.18/2016/B is restored to the file of the trial Court. He places on record a copy of the order dated 10.05.2022 below Exhibit B-1.

4. Based on the above order, Mr Raghunandan rightly submitted that this application for condonation of delay and consequently this appeal itself has become infructuous.

5. Because of the above referred subsequent development, the appeal has indeed become infructuous. Accordingly, the appeal and the Misc. Civil Application are disposed of as infructuous.

M. S. SONAK, J.

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