

Amrut

**IN THE HIGH COURT OF BOMBAY AT GOA
SECOND APPEAL NO. 61 OF 2014**

ALZIRA CARVALHO E COSTA Appellant
Versus
ALVITO GOMES (SINCE DEC. REP. THR.
LEGAL HEIRS) AND ANR.Respondents

Ms Deeksha Sharma, Advocate for the Appellant.
Ms S. Narvekar, Advocate for the Respondents.

**WITH
SECOND APPEAL NO. 70 OF 2014**

ALVITO GOMES (SINCE DECEASED
THR. HIS LEGAL REPRESENTATIVE)
AND ANR. ...Appellants
Versus
ALZIRA CARVALHO E COSTA ...Respondent

Ms S. Narvekar, Advocate for the Appellants.
Ms Deeksha Sharma, Advocate for the Respondent.

**CORAM: M. S. SONAK, J.
DATED : 4th AUGUST 2023**

P.C.:

1. The sole Appellant in Second Appeal No.61 of 2014 has expired on 17.07.2018. From time to time the matter was adjourned to enable the learned counsel for the Appellant to take steps.

2. In connected Second Appeal No.70 of 2014, the present Appellant was the Respondent. The Appellant in Second Appeal No.70 of 2014 has already taken steps to bring on record the legal representatives.

3. Ms D. Sharma, learned counsel for the Appellant in Second Appeal No.61 of 2014 and the erstwhile Respondent in Second Appeal No.70 of 2014 states that the legal representatives of the Appellant in Second Appeal No.61 of 2014 and the Respondent in Second Appeal No.70 of 2014 have not contacted their office. She states that the efforts made to contact the legal representatives but the same were not successful.

4. The legal representatives have already been served in Second Appeal No.70 of 2014 but they have not bothered to either appear in the Court or to engage any Advocate to appear on their behalf.

5. In the above circumstances, there is no option but to dismiss Second Appeal No.61 of 2014 by declaring the same stands abated. Accordingly, Second Appeal No.61 of 2014 is dismissed.

6. Place Second Appeal No.70 of 2014 for final hearing on 31.08.2023.

The matter to retain on the final hearing board until it is finally disposed of.

M. S. SONAK, J.