

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

**APPEAL FROM ORDER NO.23 OF 2022
WITH
CIVIL APPLICATION NO.27 OF 2022**

APPEAL FROM ORDER NO.23 OF 2022

IMTIYAZ KAZI @ IMTIAZUDDIN AND
ANR

... APPELLANT

Versus

SHARFUNISSA KAZI (DEC. THR. LRS)

... RESPONDENT

**WITH
CIVIL APPLICATION NO.27 OF 2022**

IMTIYAZ KAZI @ IMTIAZUDDIN AND
ANR

... APPLICANT

Versus

SHARFUNISSA KAZI (DEC. THR. LRS)

... RESPONDENT

Ms Annelise Fernandes, Advocate for the Appellants.

CORAM:- M. S. SONAK, J.

DATED :- 19th October, 2023

P.C.:

Heard Ms A. Fernandes for the appellants.

2. Ms A. Fernandes points out that this appeal challenged the order dated 31.08.2021 by which the First Appellate Court remanded the matter to the Trial Court to decide Regular Civil Suit No.64/2002/B.

3. Ms A. Fernandes now points out that the Trial Court on remand, has dismissed Regular Civil Suit No.64/2002/B for non-prosecution.

Accordingly, she submits that relief in this appeal is rendered infructuous.

4. This appeal is accordingly disposed of as infructuous. However, liberty is granted to the appellant to revive this appeal, in case the suit is restored by the Trial Court.

5. With the above liberty, this Appeal From Order is disposed of. The civil application in this Appeal From Order does not survive and is also disposed of.

M. S. SONAK, J.

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HALDANKAR

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