

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL FROM ORDER NO. 19 OF 2022**

Firoz Khan & 2 Ors. ... Appellant
Versus
Feroz Mohamad Hussein Katwalla & 21 Ors. ... Respondents

Mr. Mr Gaurish Agni, Advocate with Mr K. Kavlekar, Advocates
for the appellants.

Mr A. D. Bhobe, Advocate with Ms A. Fernandes, Advocates for
Respondent Nos. 1 to 4.

CORAM: M. S. SONAK, J
DATED: 8th December, 2023

P.C.

1. Heard Mr. Gaurish Agni, learned Counsel for the Appellants
and Mr. Bhobe, learned Counsel for the Respondent nos. 1 to 4.
2. On 01.12.2023, this Court made the following Order :

“P.C.

Mr. Agni states that since the institution of this
appeal, there was an election and the change in the
composition of the Managing Committee against whom
some interim reliefs were sought in the suit.

2. Accordingly, Mr. Agni requests that the matter be
deferred by a week to enable him to obtain instructions.

3. Mr. Bhobe, who appears for respondents, states that
there has been change in the constitution of the Managing
Committee and, therefore, the reliefs in this appeal are
rendered infructuous.

4. Stand over to 08.12.2023, to enable Mr. Agni to obtain instructions.”
3. Today, Mr. Agni, based on instructions from Appellant no. 1, who is present in the Court, confirms that there has been change in the constitution of the Managing Committee and, accordingly, the reliefs in this Appeal are rendered infructuous. He however submits that should any further cause of action arise, the Appellants be granted liberty to apply for interim reliefs before the trial Court.
4. Accordingly, this Appeal is disposed of as infructuous. But, liberty is granted to the Appellants to apply for interim reliefs if and when any cause of action for the same arises.
5. If such application is made, the Trial Court should dispose of the same in accordance with law and on its own merits.
6. All contentions of all parties are left open.
7. Hence, this appeal is disposed of.

M. S. SONAK, J

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