

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.179/2019

PARVATI PANDURANG MADVAL
@ USGAONKAR (DEC) HER LRS.
ALREADY ON RECORD AS PET.
2-4 & 3 ORS.

... PETITIONERS

Versus

GURUDAS Y. PHADTE & ANR.

... RESPONDENTS

Mr Ryan Menezes, Advocate for the Petitioners.

Mr Joaquim Godinho, Advocate for the Respondent No.2.

WRIT PETITION NO.710/2012

WITH

WRIT PETITION NO.711/2012

WITH

WRIT PETITION NO.709/2012

SUBHASH PANDURANG
SATARDEKAR

... Petitioner

Versus

PARVATI PANDURANG
MADVAL AND 4 ORS.

... Respondents

Mr Joaquim Godinho, Advocate for the Petitioner.

Mr Ryan Menezes, Advocate for the Respondents.

CORAM: M. S. SONAK, J.

DATED: 3rd March 2023

P.C.:

1. Mr Joaquim Godinho, learned counsel for the petitioner in Writ Petitions No.710/2012, 711/2012 and 709/2012, based on

instructions from the petitioner Shri Subhash Satardekar, who is present in the Court, seeks leave to withdraw these petitions. The withdrawal is not opposed by Mr Ryan Menezes who appears for some of the respondents in these petitions.

2. Accordingly, these petitions are disposed of as withdrawn.

3. In Writ Petition No.179/2019, the challenge is to the Order dated 18.08.2017 by which the Appeal Court has only permitted some of the respondents to cross-examine and contest the proceedings. The Court has observed that eviction proceedings should be decided by following the due process of law. There is no jurisdictional error in the impugned order. The impugned order does not cause any prejudice as such to the petitioners. All that the impugned order does is that it gives fair opportunity to all the parties in the proceedings to contest the same including by way of cross-examination.

4. Accordingly, no case is made out to interfere with the impugned order in exercise of jurisdiction under Article 227 of the Constitution of India.

5. Accordingly, even Writ Petition No.179/2019 is disposed of.

M. S. SONAK, J.

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