

Suchitra

**IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.318/2016**

ANITA KORGAONKAR

... PETITIONER

Versus

GOA TOURISM
DEVELOPMENT
CORPORATION, THROUGH
THE MANAGING DIRECTOR
AND ANR.

... RESPONDENTS

Mr Nikhil Pai, Advocate for the Petitioner.

Ms S. Drago, Advocate for Respondent No.1.

CORAM: M. S. SONAK, J.

DATED: 9th March 2023

P.C.:

1. On 16th February 2023, this Court made the following order :

“1. Mr. Nikhil Pai, the learned Counsel for the petitioner states that he will have some difficulties in continuing to appear on behalf of the petitioner because now he is on the panel of GTDC. He states that he will immediately issue notice to the petitioner informing her to make alternate arrangements, if she so desires.

2. In order to enable Mr. Pai to do so, this matter is posted on 09.03.2023. Mr. Pai states that he will inform the petitioner about this date and request her to remain

present in the Court if she so desires.

3. Mr. Rao, learned Counsel for GTDC submits that the Estate Officer and the First Appellate Authority have ordered the eviction of the petitioner from GTDC premises. He states that there was no interim relief granted by this Court and the order of eviction is executed and the premises are allotted to some third party. Mr. Rao, therefore, submits that the reliefs in this petition have been rendered infructuous or, in any case, it is likely that the petitioner has lost interest in pursuing this petition.

4. Accordingly, it is made clear that if, despite of notice, the petitioner does not make any alternate arrangements or does not remain present on 09.03.2023, then, this Court will consider disposing of this petition on the said date.

5. Mr. Pai states that even authenticated copy of this order will be served on the petitioner.”

2. Today, Mr Nikhil Pai, learned Counsel for the Petitioner states that he has given necessary intimation to the Petitioner. He has even informed the Petitioner about today's date. The Petitioner's name was called out and she was not present.

3. As recorded in the above order, it is possible that the Petitioner is no longer interested in pursuing this matter because, the order impugned in this Petition has already been executed by the Respondent-GTDC.

4. Considering the above position, this Petition is dismissed for non-prosecution. If the Petitioner is serious about pursuing this Petition, she is always at liberty to apply for restoration. Mr Pai states that a copy of this order will be sent by Registered A.D., email and WhatsApp to the Petitioner. Therefore, though Mr Pai is discharged from appearance in this matter, this offer, in the interest of justice, is appreciated.

5. The Petition is disposed of. There shall be no order for costs.

M. S. SONAK, J.

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