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IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO.2126/2023 (F)
IN
SECOND APPEAL NO.698/2023 (F)

MAHAMAYA BUILDERS, SOLE
PROPRIETORSHIP CONCERN OF
MR. SADASHIV DHARMAKANT
NARGVEKAR ... APPLICANT

Versus

EVOLDA MARIA COLACO & 2 ORS. ... RESPONDENTS

Ms A. Fernandes, Advocate for the Applicant.
Mr A.F. Diniz, Senior Advocate with Mr Ryan Menezes, Nigel
Fernandes and Ms Gina Maria Almeida, Advocates for
Respondent No.1.
Mr G. Panandikar, Advocate for Respondent No.2.

WITH
MISC. CIVIL APPLICATION NO.386/2023
IN
SECOND APPEAL NO.698/2023 (F)

EVOLDA MARIA COLACO ... APPLICANTS

Versus

MS MAHAMAYA BUILDERS
SOLE PROPRIETORSHIP
CONCERN OF SADASHIV
DHARMAKANT
NAGVEKAR AND 2 ORS. ... RESPONDENTS

Mr A.F. Diniz, Senior Advocate with Mr Ryan Menezes, Nigel Fernandes and Ms Gina Maria Almeida, Advocates for the Applicant.

Ms A. Fernandes, Advocate for the Respondents.

CORAM: M. S. SONAK, J.

DATED: 14th September 2023

P.C.:

1. Heard learned counsel for the parties.
2. For the reasons set out in the civil application the same is allowed in terms of prayer clause (a) which reads as follows:-

“(a) The Applicant be permitted to amend the cause title by adding the word "since deceased" after the name of Respondent no. 3 and join the legal representatives referred to in para 4 hereinabove as Respondent nos. 3 (a) and 3 (b).”

3. Necessary amendment to be carried out within a week from today.

4. Mr G. Panandikar who now appears for respondent no.2 says that he would be appearing on behalf of the legal representatives of deceased respondent no.3 i.e. respondent no.3(a) and 3(b). He says that he will file the necessary Vakalatnama within a week from today.

5. Accordingly, stand over to 05.10.2023. The matter be placed high on the final hearing board subject to overnight part heard matters.

6. At the oral request of Mr Diniz, learned Senior Advocate appearing on behalf of respondent no.1 leave is granted to amend Misc. Civil Application No.386/2023. Necessary amendment to be carried out within a week from today.

M. S. SONAK, J.

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