

Jose

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL REVISION APPLICATION NO.4 OF 2023

ISIDORIO FURTADO AND ANR ... APPLICANTS
Versus
CASSIANO J.M. PEREIRA AND 4 ORS ... RESPONDENTS

Mr. J.J. Mulgaonkar, Advocate for the Applicants.
Mr. C. A. Coutinho and Mr. I. Santimano, Advocates for the Respondents.

CORAM:- VALMIKI SA MENEZES, J.

DATED :- 18th March, 2023

P.C.:

Learned Counsel for the parties place on record an order dated 09.03.2023 passed by this Court in Writ Petition No.540/2022 whereby the impugned order dated 13.04.2022 refusing the Petitioners' application under Order 7 Rule 11 has been set aside. Consequently, the application for rejection of plaint under Order 7 Rule 11 at Exhibit 62 of the record of Regular Civil Suit No.361/2019/I pending before Civil Judge Senior Division at Margao would have to be heard afresh.

2. In that view of the matter, since the impugned order in this revision application dated 13.04.2022 being set aside/recalled, the present revision application does not survive and is dismissed

as infructuous.

3. Needless to say, the Trial Court shall now hear the application at Exhibit 62 on its file for rejection of plaint under Order 7 Rule 11, at the behest of original Defendant Nos.1 and 2, on 27.03.2023.

VALMIKI SA MENEZES, J.

JOSE
FRANCISCO
DSOUZA

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