

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.83 OF 2016

1.MRS. ENUM FERNANDES alias
LAXMI DHAKU HADKONKAR
alias VENU DHAKU
HADKONKAR (since deceased)
through Legal Heirs:

a) Smt. Kishori Dnyaneshwar
Vernekar, Daughter of late Dhaku
Hadkonkar and Deceased petitioner
Enum Fernandes And her husband

b) Shri. Dnyaneshwar Ramchandra
Vernekar, Son of Ramchandra
Vernekar (son in law of petitioner)
Both (a) & (b) major of age, r/o H.no
137, Nagali, Taleigao, Ilhas-Goa.

c) Smt. Indu Ramnath Kavlekar,
widow of late Ramnath Kavlekar &
Daughter of late Dhaku Hadkonkar
and Deceased petitioner Enum
Fernandes

d) Visranthi Ramnath Kavlekar,
Daughter of late Ramnath Kavlekar
(grand daughter of petitioner)

e) Krishna Ramnath Kavlekar, Son
of late Ramnath Kavlekar (grand son
of the petitioner) Bachelor.

All (c), (d) & (e) major of age, All
R/o H.no 64, Xirent, Chimbhel-Goa

f) Reshma R. Adkonkar, wife of
Rajesh K. Adkonkar and daughter of

late Ramnath Kavlekar (grand daughter of petitioner) and her husband

g) Rajesh K. Adkonkar, son of Keshav Adkonkar

h) Gauri G. Murgaokar, wife of Ganeshyam Murgaokar and Daughter of late Ramnath Kavlekar (grand daughter of petitioner) and her husband

i) Ganeshyam Murgaokar, son of Mahadev Murgaokar,

All (f), (g), (h) major of age, R/o Indira nagar, Ilhas-Goa

j) Yeshwant Dhaku Hadkonkar, son of late Dhaku Hadkonkar and deceased petitioner Enum Fernandes & his wife

k)Yeshwanti Yeshwant Hadkonkar, wife of Yeshwant Hadkonkar (daughter in law of petitioner)

l)Tukaram Dhaku Hadkonkar, son of late Dhaku Hadkonkar and deceased petitioner Enum Fernandes & his wife

m)Lalita Tukaram Hadkonkar, wife of Tukaram Hadkonkar (daughter in law of petitioner)

All (j), (k), (l), (m) major of age, R/o of H.No 494, Carambolim, Saklem Bhaty, Old-Goa.

... PETITIONERS

Versus

1) MR. ROHIDAS MANUEL ZAMBAULIKAR, son of late Manuel Zambaulikar, Government Servant (since deceased) through legal representatives:

1a) SMT. PRIYA MAHENDRA PARVATKAR, d/o late Rohidas M. Zambaulikar, aged 27 years, married, housewife;

1b) SHRI MAHENDRA C. PARVATKAR, husband of Smt. Priya M. Parvatkar, major of age, service, Both 1a and 1b are residents of House No. 268, near Premavati Bar, Corlim-Goa.

1c) MAST. DEVESH ROHIDAS ZAMBAULIKAKR, s/o late Rohidas M. Zambaulikar, aged 17 years, student, resident of Khandiwada, Soklembhat, Carambolim, Ilhas-Goa, represented herein by his mother and natural guardian, Smt. Mangala R. Zambaulikar.

2) MRS. ROHIDAS MANUEL ZAMBAULIKAR, wife of Mr. Rohidas Manuel Zambaulikar, major, housewife,

Both residents of Khandiwada, Soklembhat, Carambolim, Ilhas-Goa.

... RESPONDENTS

Mr J. Karn, Advocate for the Petitioner.

**Mr R.G. Ramani, Senior Advocate with Mr P. Kakodkar,
Advocate for Respondents No. 1(a) to 1(c) and 2.**

CORAM: M. S. SONAK, J.

DATED: 3rd February 2023

ORAL JUDGMENT :-

- 1.** Heard the learned Counsel for the parties. With their consent, the matter is taken up for disposal.
- 2.** The Petitioner is the original plaintiff. She was granted interim relief by the Trial Court. But, on an appeal by the Respondents/Defendants, this interim relief was vacated. This Petition is directed against the order dated 29/6/2015 passed by the Appeal Court.
- 3.** This Petition was admitted on 4/10/2016. No interim relief was granted. The record indicates that evidence has already commenced in the suit.
- 4.** Accordingly, no useful purpose would be served by pending this Petition. Accordingly, this petition is disposed of by directing the Trial Court to dispose of the suit as expeditiously as possible and, in any case, within one year from today. In disposing of the suit, the Trial court should not be influenced by any interim

orders made by the Trial Court, Appeal Court or disposal of this Petition by this Court. The suit will be decided on its own merits and in accord with law.

5. With the above observations, this Petition is disposed of. Misc. Civil Applications, if any, are also disposed of.

6. All concerned to act based on an authenticated copy of this order.

M. S. SONAK, J.

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