

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO.10 OF 2023

MADHAV RAYA BHAT @ MADEU RAIA

BOTTO, REP. BY CONST. ATT.,

ROHIDASSA MADHAU BHAT AND 3 ORS.,

... APPELLANTS

Versus

RAGHUNATH PRABHU AND 14 ORS

... RESPONDENTS

Mr G. Velip, Advocate for the appellants.

Mr Gaurish Agni, Advocate for Respondents no.1 to 10, 12 and 13.

Mr Sahil Sardessai, Advocate for respondent nos. 14 and 15.

CORAM:- M. S. KARNIK, J.

DATED :- 15th June, 2023

P.C.

Perused the order dated 24.03.2023. Learned counsel for the appellants submitted that restoration proceedings are getting delayed because of the issue of service on some of the respondents, some of whom have died. In such view of the matter, in my opinion, no purpose will be served by keeping the present appeal from order pending. The same is disposed of.

2. It is further made clear that in the event the suit is restored, the appellants will be at liberty to apply for restoration of the present appeal from order.

3. Needless to mention that if for some reason the restoration application before the trial Court is not considered favourably, it will always be open for the appellants to challenge the order of the trial Court which challenge shall obviously be dealt with on its own merits.

4. The appeal from order is disposed of.

M. S. KARNIK, J.