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IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO. 980 OF 2019
WITH
MISC. CIVIL APPLICATION NO. 109 OF 2022
IN
WRIT PETITION NO. 980 OF 2019**

SANTOSH SHABA GAONKAR., ... PETITIONER
VS
DATTA TUKARAM PRABHU
AND 9 ORS., ... RESPONDENTS

Mr. Sudin Usgaonkar, Senior Advocate with Ms. Tanisha Mashelkar, Advocate for the Petitioner.

Mr. S.D. Lotlikar, Senior Advocate with Mr. Jayant Karn, Mr. Terence Sequeira and Ms. Sailee Kenny, Advocates for Respondent Nos. 7 to 10.

CORAM: B.P. COLABAWALLA, J.

DATED: 17th JANUARY 2023

P.C.

1. The above Writ Petition is filed by the original Plaintiff in Regular Civil Suit No. 35/2002/C, which takes exception to the order dated 23rd September 2019, passed in Execution Application No. 4/2018/B. By the impugned order, Respondent Nos. 7 to 10 herein were allowed to represent the original Defendant No. 6-Math in the Execution proceedings.

2. The learned Senior Counsel appearing on behalf of the Petitioner fairly stated that in the light of the order passed today in Writ Petition No. 1417/2022 (F), nothing survives in the present Writ Petition and can be disposed of as such.

3. It is accordingly so ordered. The Writ Petition is disposed of with no order as to costs.

4. In view of the disposal of the Writ Petition, nothing survives in Miscellaneous Civil Application No. 109/2022 and the same is disposed of accordingly.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

B.P. COLABAWALLA, J.

VAIGANKAR
ESHA SAINATH

Digitally signed by VAIGANKAR
ESHA SAINATH
Date: 2023.01.18 18:03:56 +05'30'