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IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL FROM ORDER NO.20 OF 2024

BENNY FERNANDES REP. THR. POA
JULIUS D SILVA FERNANDES AND ANR ... APPELLANTS
Versus
ROSINHA JUSTINIANA FERNANDES ALIAS
ROSY JUSTINIANA FERNANDES AND 33 ... RESPONDENTS
ORS.

Mr. Chaitanya Padgaonkar with Ms. Vaishali Mahato, Advocates for the Appellants.

Mr. R. Frias, Advocate for the Respondents.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 3rd October, 2024

P.C.

Heard Mr. Padgaonkar for the Appellants.

2. Mr. Frias appears for the Respondents. He filed a reply affidavit raising preliminary objection to the jurisdiction of this Court.

3. Though the Appeal is filed before this Court challenging the order passed by the Inventory Court, the learned Counsel for the Respondents would submit that the valuation of the inventory as on the date of filing it is only Rs.6,50,000/-. According to him, the matter/Appeal would lie before the District Court and not before this Court.

4. In view of the above fact, Mr. Padgaonkar appearing for the Appellants seeks liberty to withdraw the present Appeal in order to file it before the appropriate Court having jurisdiction.
5. Accordingly, leave is granted to withdraw the present Appeal with liberty to file it before the appropriate Court having jurisdiction.
6. The certified copy of the impugned order placed in the present file shall be returned to the Appellants, however, the same shall be replaced with a photocopy of it, so that the Appellants could file an Appeal before the appropriate forum accordingly.
7. The Appeal stands disposed of as withdrawn.

BHARAT P. DESHPANDE, J.