



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.655 OF 2024

ARGENTINA APOLINA FERNANDES ... PETITIONER
Versus
GAUTAM XETTIGAR ... RESPONDENT

Mr. Shane Coutinho, Advocate for the Petitioner.

Mr. Abhijeet Kamat, Advocate for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 4th April, 2025

P.C.:

1. After hearing the matter for some time, the learned Advocate for the parties consent to quash and set aside the impugned order dated 10.01.2023, by which the execution application REXA No. 6/2019/E was dismissed by Civil Judge Junior Division 'E' Court at Panaji, as being non-maintainable. The matter is now remanded back to the Executing Court, and the aforementioned application is restored to the file of the Civil Judge Junior Division 'E' Court at Panaji.

2. The Decree Holder is granted leave to amend the Execution Application to incorporate details of her claim, which include the period for which she claims maintenance, when she was residing in UAE or elsewhere. The amendment shall be carried out within 4

weeks of the first appearance of the parties. Thereafter, the Executing Court shall grant further time to the Judgment Debtor to file his reply and consider the application on its own merits.

3. The parties shall appear before the Executing Court on 12.06.2025 at 10.00 a.m.

4. The petition stands disposed of.

VALMIKI MENEZES, J.