



Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO.232/2025
WITH
CIVIL APPLICATION NO.31/2025
IN
WRIT PETITION NO.232/2025**

MARIA I. FERNANDES E
DIAS SAPECO AND ANR.

... PETITIONERS

Versus

GEMA ARTMISIA PINTO
AND 2 ORS.

... RESPONDENTS

Mr Siddharth Malik with Mr Vishal Naik, Advocates for the
Petitioners.

Mr Deepak Gaonkar with Mr Akhil Govekar, Advocates for
Respondent No.1.

CORAM: VALMIKI MENEZES, J.

DATED: 4th JULY 2025

P.C. :

1. Since the impugned order arises from a Suit which is valued at Rs.2 lakhs, an appeal against the impugned order would lie to the District Court. Considering that the petitioners have a remedy of appeal against the impugned order, it would be appropriate that the remedy of appeal is exhausted.

2. Considering this position, the learned advocate for the petitioners, on instructions, seeks leave to withdraw this petition and to present an appeal against the impugned order before the

District Court. Needless to state, and considering that the learned advocate for the respondent no.1 has an objection that the appeal would be beyond the period of limitation, the District Court may consider the fact that the petitioners had approached this forum in a Writ Petition on 09.05.2025 whilst considering the question of condonation of delay.

3. The petition is dismissed as withdrawn with the above observations.

4. In view of the disposal of the petition, the stay application is also disposed of.

VALMIKI MENEZES, J.