



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.754 OF 2024

FATHESINGH RAOJI RANE (SINCE
DECEASED) AND ANR

... PETITIONERS

Versus

SURESH SHIVAJI DUBAXI/ DUBASHI AND
10 ORS

... RESPONDENTS

Mr. Parikshit Sawant, Advocate for the Petitioners.
Mr A.R. Kantak, Advocate for Respondents No.1 and 2.
Mr. A. Ghatwal, Advocate for Respondents No.6 to 9.

CORAM:- VALMIKI MENEZES, J.

DATED :- 12th June, 2025

P.C.:

1. By consent of the parties, the impugned order dated 07.06.2024 passed on Exhibit D shall stand modified where issue No.2 shall be framed by the Trial Court in the following terms:

" Issue No.2 - Whether the Plaintiff proves that the principle of res-judicata would be applicable in relation to the suit property Survey No.104/6 of village Carapur, in view of the judgment and decree dated 12.06.1995 passed in Civil Suit No.1 of 1988 by the Court of District Court, North Goa?"

2. The Petition stands disposed of in terms of the above issue,

consented to by the parties. The trial Court shall frame this issue within a week from the passing of this order and continue with the trial Court as expeditiously as possible.

VALMIKI MENEZES, J.