



Jose

IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL FROM ORDER NO.5 OF 2020

DR. SURESH DUBASHI AND ANR., Versus FATHESINGH RAOJI RANE (DEC) THR. LRS. AND 8 ORS.,	... APPELLANTS ... RESPONDENTS
--	---

Mr. Ajit R. Kantak, Advocate for the Appellants.
Mr. Parikshit Sawant, Advocate for the Respondent Nos. 1(a), 1(b) and 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 10th July, 2025

P.C.:

1. After going through the impugned order, in my opinion, no case is made out for interference in jurisdiction under Order 43 CPC, as the findings, at the prima facie stage cannot be termed as perverse.

2. The suit i.e. SCS No. 16/2013 before the Court of the Civil Judge Senior Division, Bicholim, is now at the advanced stage where the evidence of PW1 is in progress, and the suit is likely to be concluded in the near future, since according to the learned Counsel for the respective parties, the Plaintiffs may have one more witness to examine while the Defendant would have one witness to examine.

3. Considering this position, the Trial Court to endeavour to dispose of the suit, however, not being influenced by the prima facie findings rendered in the impugned order.
4. With these observations, the Appeal stands dismissed. No costs.

VALMIKI MENEZES, J.