



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.426 OF 2025

THE COMUNIDADE OF ASSONORA THR.
ITS ATTORNEY

... PETITIONER

Versus

COMUNIDADE OF SIRSAIM THR. ITS
ATTORNEY SITAKANT KASHINATH PARAB
AND 2 ORS

... RESPONDENTS

Mr. Parikshit Sawant, Advocate for the Petitioner.
Mr Eeshan Usapkar, Advocate for the Respondents.

CORAM:- VALMIKI MENEZES, J.

DATED :- 14th November, 2025

ORAL ORDER:

1. Registry to waive objections and register the matter.
2. On perusing the record of Regular Civil Suit No.69/2024 pending before the Civil Judge Junior Division at Bicholim, what becomes clear from the record is that the Defendant No.2 (Petitioner herein), filed an affidavit in reply styled as "Interim reply" on 24.07.2024 after which oral request was made recorded in the Roznama dated 04.09.2024 for time to file an "affidavit-in-reply", which was rejected on the same date by the impugned order. However, subsequent to this order, the trial Court has now allowed Defendant No.2 to place on record its written statement on 09.10.2024.

3. Whilst considering the application for temporary injunction of the Plaintiff, which is obviously based upon the pleadings in the plaint, the trial Court would now consider the pleadings of Defendant No.2 in its written statement dated 09.10.2024 and, the affidavit in reply styled as "interim reply" dated 24.07.2024, and no further pleadings ought to be allowed whether in the form of any affidavit. The trial Court shall now proceed to hear the application for a temporary injunction which is listed on 09.12.2025, and shall proceed to decide the application for temporary injunction on the basis of the afore-referred pleadings of the parties, as there would be no requirement of filing any further "affidavit in reply" which was sought on 04.09.2024 by Defendant No.2.

With this clarification, the Writ Petition is disposed of.

VALMIKI MENEZES, J.