



Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

**MISC. CIVIL APPLICATION NO.268/2026
IN
WRIT PETITION 1040/2026 (F)**

ROYSTON FRANCIS SAVIO NOEL ... APPLICANT

Versus

GENEVIEVE MATHIAS AND 5 ORS. ... RESPONDENTS

Mr Parag Rao and Mr Shulin Singbal, Advocates for the Applicant.
Mr Vibhav Amonkar and Mr Raj Chodankar, Advocates for the Respondents.

CORAM: VALMIKI MENEZES, J.

DATED: 11th JUNE 2026

P.C. :

1. Registry to waive objections and register the matter.
2. This is an application in a disposed of Writ Petition No.1040/2026 (F) seeking extension of time in the direction to the Trial Court to dispose of Exhibits D-4, D-10 and D-12 (applications for temporary injunction at the behest of the contesting parties).
3. The application is vehemently objected to by Mr Amonkar appearing for the Respondents No.1 to 5 who are the original defendants in the suit mainly on the two grounds. The first being

that the plaintiff has attempted to place on record of the Trial Court the written submissions on 10.06.2026 which were returned to the plaintiff since at the relevant time the Trial court had recorded in the Roznama that it would call upon the parties if required to clarify in arguments. The second ground being that the written submissions which may now be placed before the Trial Court contain facts in paragraphs 29 and 32 to 36 which are in the nature of calculations and fresh facts which are not the part of the pleadings; that the defendants would have no opportunity to deal with these facts since the matter is now reserved for orders which are to be pronounced tomorrow i.e. on 12.06.2026 at 12.00 p.m.

4. I have considered these submissions and on examining the record of the writ petition and certain facts being brought to my notice I am of the opinion that the application needs to be allowed for the following reasons.

5. This court's directions which are found in the order of 06.05.2026 were communicated to the Trial Court, somewhere immediately after 06.05.2026 after which the learned Judge communicated to the Advocates appearing for the parties that the matter would be heard, and after obtaining their consent, on 01.06.2026. The concerned Judgment was on leave upto 31.05.2026. From this fact alone it is seen that practically an entire month went by with the matter not having been heard for a good reason that the Judge was on summer leave.

6. It appears that the arguments commenced on 01.06.2026 and were heard until 06.06.2026, effectively allowing the parties only five days including a weekend in between to complete their arguments and less than five days to render judgment to the Trial court. I am also given to understand that the record is extremely bulky.

7. In this scenario, it would not be fair to either the parties or the Judge to dispose of the matter, when the original intention of giving directions was to afford the Presiding Officer of that Court at least more than a month to decide the matter, in terms of this Court's order dated 06.05.2026.

8. In this view of the matter, I deem it appropriate to extend the timeline specified in order dated 06.05.2026 and extend the time to pass judgment in the three applications until 30.06.2026.

9. Considering that the plaintiff wants to tender written arguments dated 10.06.2026 before the Trial court, and seeks to have them consider before the Judgment is rendered, the plaintiff shall tender these written arguments tomorrow at 4.30 p.m. The learned Trial Court shall consider after hearing the objections if any of the defendants, whether the same are to be taken on record, in view of the objections raised hereinabove, and if the Trial Court takes the same on record or chooses to discard parts of the written arguments based upon the objections, it shall grant the defendants sufficient time to place their written submissions on record and/or in its discretion, documents in counter before rendering the Judgment.

10. Considering that the Trial Court had fixed the matter tomorrow i.e. on 12.06.2026 at 12.00 p.m. for pronouncing the Judgment, the Trial Court is requested to defer the pronouncement of the Judgment after deciding and taking into consideration the aforementioned directions.

11. An authenticated copy of this order shall be placed before the Trial Court today itself to inform the Trial Court of the contents of this Order.

12. The Misc. Civil Application No.268/2026 is disposed of in the above terms.

VALMIKI MENEZES, J.