

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 69 OF 2002.

Mr. Baburao Tukaram Mangale,
s/o of Tukaram Mangale,
r/at Shapur, Ponda Goa.

... Petitioner.

Versus

1. M/s. Ratnadeep Builders,
represented by its sole
proprietor Mr. Madhav Narain
Naik Kundaikar, r/at House
No. 295, Desalwada, Kundaim,
Ponda Goa.
2. Mr. Mahableshwar Phadte,
r/at Flat No. G-4,
Ratnadeep Building 'B',
Curti, Ponda Goa.
3. Smt. Sadhana Mahableshwar
Phadte, w/o Mahableshwar Phadte,
r/at Flat No. G-4, Ratnadeep
Building 'B', Curti, Ponda Goa. ... Respondents.

Mr. S.S. Kantak, Advocate for the Petitioner.

Mr. R.V. Kamat, Advocate for the Respondents 3 and 4.

Coram: P.V. HARDAS, J.

Date: 25th July 2002.

ORAL JUDGMENT.

Heard Mr. Kantak, learned counsel appearing for the petitioner and Mr. Kamat, learned counsel appearing for the respondents 3 and 4. It is not disputed before me that the application filed by the petitioner dated 15th March 2001 is still pending on the file of the learned trial Court. Both the learned counsel agree that a direction be issued to the learned Civil Judge, Senior Division, Ponda, to decide the application filed by the petitioner dated 15th March 2001.

2. In view of this, the learned Civil Judge, Senior Division, Ponda, is directed to decide the application dated 15th March 2001 within 4 weeks of the receipt of the writ of this Court.

3. With consent of the parties, this petition is taken up for final hearing and, accordingly, rule has been issued.

4. The Writ Petition thus succeeds and rule is made absolute in terms of prayer clause (b) with no order as to costs.

(P.V. HARDAS)
JUDGE.

ed's.