

CIVIL REVISION APPLICATION NO. 234 OF 2000

1. Shri Milton Coutinho,
aged 60 yrs., married and
2. Mrs. Maria Mercid
Coutinho, major, married,
both r/o House No.165,
Sirvodem, Navelim,
Salcete, Goa. ... Petitioners.

Versus

1. Shri Antonio Menino
Jose D'Silva, major,
married,
2. Mrs. Edtisia Da Silva,
major, married, both
r/o House No.239, Sirvodem,
Navelim, Salcete, Goa,
3. Shri Romalino Mergulhao
Carvalho, major,
married, and
4. Mrs. Irene Mergulhao
Carvalho, major,
married, both r/o
House No.283, Ward 6,
Singuettim, Navelim,
Salcete, Goa. ... Respondents.

Mr. S. D. Lotlikar, Senior Advocate with Mr. A. D. Bhobe, advocate for the petitioners.

Mr. M.S. Usgaokar, Senior Advocate with Mr. I. Aga, advocate for respondents no.1 & 2.

CORAM: V. C. DAGA, J.

DATE: 21st June, 2002.

ORAL JUDGMENT

Heard parties. Having heard the parties for sometime, it is clear that it is a dispute between two neighbours and during the pendency of this revision, this Court had passed an interim Order providing for a working

arrangement between the parties. The said arrangement operated between the parties without any trouble. Having gone through the said Order and arrangement; I do not think that the final Order could be otherwise. Needless to mention that during the pendency of the suit the said equitable arrangement should continue which will not cause any harm to any party to the litigation. Therefore, in the interests of justice and also looking to the interests of the parties, the interim Order passed by this Court dated 30th November, 2000, is converted into a final Order. Accordingly, this Revision Application stands disposed of finally in terms thereof. However, it is made clear that this arrangement shall not create any equities in favour of either of the parties and this arrangement shall be without prejudice to the rights of the parties to the proceedings and the trial court shall dispose of the suit as early as possible, at any rate, within one year from the date of receipt of the writ from this Court, without getting influenced with the arrangement made between the parties by virtue of this Order.

2. The Revision Application stands disposed of in terms of this Order, with no order as to costs.

V. C. DAGA, J.