

(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF BOMBAY AT GOA  
APPELLATE SIDE

MISC. CIVIL APPLICATION NO. 506 OF 2003.

-----  
Office Note, Office Memoranda  
of Quorum, appearances, Court's  
orders or directions and  
Registrar's orders.

Court's or Judge's Orders

-----  
Mr. J. Godinho, Advocate for the  
Applicants.

Mr. D. Pangam, Advocate for the  
Respondent.

CORAM : N.N. MHATRE, J.

DATE : 27TH FEBRUARY, 2004.

P.C.:

This Civil Application has  
been filed, contending that there is  
a breach of the Order passed by this  
Court on 9th February, 2001.  
Therefore action is sought against  
the respondent under Order 39, Rule  
2A of Civil Procedure Code.

The Order dated 9.2.2001  
directs the Trial Court to decide  
whether temporary injunction should  
be given under Order 39, Rule 1  
C.P.C. The Trial Court, after  
hearing both the sides on merits,

was directed to pass appropriate orders uninfluenced by any observations made by the Court in its Order dated 9th February, 2001.

The present application is not maintainable and the applicants ought to have filed an application before the Trial Court, if aggrieved. Hence dismissed. However, liberty is granted to the Applicants to move the Trial Court for appropriate orders.

All contentions raised by both the parties will be considered by the Trial Court appropriately.

NISHITA MHATRE, J.

sl.