

IN THE HIGH COURT OF BOMBAY AT GOA  
PORVORIM GOA

Writ Petition (F) No. 2073 of 2021

(Under Article 226 & 227 of the Constitution of India)

VEENA BAIGIRI GOSWAMI  
(THR. ADV. GOPAL MAHADEV KANEKAR) ...PETITIONER

V/s

PRESCON HOME PVT. LTD., THR. ITS MANAGING  
DIRECTOR AND 10 ORS ..RESPONDENTS

To,

R-1 PRESCON HOME PVT. LTD., A COMPANY REGISTERED UNDER  
COMPANIES ACT 1956, THROUGH ITS MANAGING DIRECTOR,  
HAVING ITS OFFICE AT 2<sup>nd</sup> FLOOR, EDCON MIND SPACE, BEHIND  
CAMPAL TRADE CENTRE, CAMPAL, PANAJI, GOA 403001.

R-2 SHRI. SURESH VISHWANATH PARULEKAR, AGE 78 YEARS, OCC. -  
BUSINESS, HAVING ITS OFFICE AT PLOT NOS. 7, 8, 9 PILERN  
INDUSTRIAL ESTATE, PILERN, BARDEZ, GOA.

R-3 M/S. REIS MAGOS ESTATE PVT. LTD., A COMPANY REGISTERED  
UNDER COMPANIES ACT 1956, THROUGH ITS DIRECTOR, SHRI.  
SURESH VISHWANATH PARULEKAR, AGE 78 YEARS, HAVING ITS  
OFFICE AT PLOT NOS. 7, 8, 9 PILERN INDUSTRIAL ESTATE, PILERN,  
BARDEZ, GOA.

R-4 SMT. GOPICABAI DATTATREYA BHANDARE ALIAS GOPIKABAI  
DATTATREYA BHANDARE, OF MAJOR AGE, HOUSEWIFE, THROUGH  
HER DULY CONSTITUTED ATTORNEY, MR. JAGANNATH  
DATTATREYA BHANDARE, AGE 101, R/O ROOM NO. 3, E-2, BARVE  
NAGAR, MUNICIPAL COLONY, GHATKOPAR (W), MUMBAI 400084.

R-5 SHRI. SITAKANT NARAYAN BHANDAR SON OF NARAYAN RAGHUVIR  
BHANDARE, AGE 88 YEARS, AND HIS WIFE

R-6 SMT. MANDA SITAKANT BHANDARE, AGE 77 YEARS, OCC.  
HOUSEWIFE, BOTH R/O A-2, VANRAI APT. AVENIDA, TEOFILO  
BRAGA, TAMBDI MATT, P. O. CARANZALEM, ILHAS, GOA 403002.

R-7 SMT. KUNDA LAXMIKANT BHANDARE, AGE 81 YEARS,

R-8 SHRI. DEEPAK LAXMIKANT BHANDARE, AGE 51 YEARS, OCC.  
BUSINESSMAN, AND HIS WIFE,

R-9 SMT. DURGA DEEPAK BHANDARE, AGE 47 YEARS, OCC. HOUSEWIFE

R-10 SHRI. RAGHUVIR SHRIPAD BHANDARE, AGE 84 YEARS, OCC.  
BUSINESSMAN, AND HIS WIFE,

R-11 SMT. GEETA RAGHUVIR BHANDARE, AGE 75 YEARS, OCC.  
HOUSEWIFE,

ALL ABOVE RESPONDENT NO. 7, 8, 9, 10 AND 11 REPRESENTED BY  
THEIR DULY CONSTITUTED ATTORNEY, MR. DEEPAK LAXMIKANT  
BHANDARE, AGE 51 YEARS, R/O 1<sup>st</sup> FLOOR, VILLA OLIVANT -  
MARCHON, GEN BERNARD GUEDES ROAD, PANAJI, GOA 403001.

received  
on 22/11/21  
@ 12:20 pm



The Petitioner above named having presented a Petition to this Court under Article 226 & 227 of the Constitution of India, praying for reliefs as stated in the supplied copy of the petition and the same having been registered in this Court as Writ Petition and this Court, having on the 26/10/2021 ordered to issue notice, I have the honour to inform you that the matter will come up **Final Disposal at the Admission Stage on 21/12/2021 at 10.30 a.m. or on any other day thereafter as per the convenience of this Court** and that if no appearance is made on your behalf either in person or by an Advocate of this Court or an agent duly authorized and instructed by you, it will be heard and determined in your absence.

P.C.:

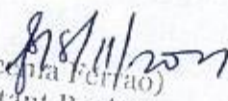
**CORAM : MANISH PITALE, J.**

1. Heard learned counsel for the petitioner(original plaintiff).  
2. It is contended that the impugned order recording that suit stands disposed of as withdrawn and closing the proceeding is wholly unsustainable for the reason that the application filed by the Power of attorney holder of the petitioner seeking withdrawal of the suit was specifically objected to by the Advocate appearing for the petitioner and that the Court below ought not to have passed the impugned order.

3. Issue notice for final disposal returnable on 21.12.2021.

WITNESS the Hon'ble Shri. Justice Dipankar Datta, the Chief Justice of High Court of Bombay, aforesaid this 17<sup>th</sup> day of November, 2021.

By order of the Court

  
(Sophia Ferrao)  
Assistant Registrar  
High Court of Bombay at Goa  
Porvorim Goa

Enclosure :- (i) Copy of Petition.

N.B. :- Attention is invited to Rules 11 and 13, Chapter XVII of the High Court Appellate Side Rules, 1960, which reads as follows :-

Rule 11 :- An answer to the rule nisi showing cause against such application shall be made by filing an affidavit in the Office of the Registrar and by serving a copy thereof upon the applicant or his Advocate or attorney, as the case may be, at least two days before the returnable date of the rule.

Rule 13 :- No further affidavit or affidavits shall be filed by any party except with the leave of the Court.

Ams