

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 15 OF 2015

IN

SECOND APPEAL NO. 1 OF 2015

SHRI SHAIKH ABDUL GANI THROUGH
LEGAL REPRESENTATIVES AND ANR.,

... Applicants

Versus

SHRI SHAIKH ABDUL RASHID AND 2
ORS.,

... Respondents

Mr. N. Sardesai, Senior Advocate with Advocate L. Raghunandan
for the Applicants.

Mr. C. A. Ferreira, Advocate for the Respondents.

Coram:- N. M. JAMDAR, J.

Date:- 4th March, 2015

P.C.:

The learned counsel for respondents no.1 and 2 tenders an
Affidavit-in-Reply.

2. It is submitted in the Affidavit-in-Reply that there is no construction of any nature being undertaken and the statement made in the application that the construction is likely to be carried out is incorrect. It is also stated the stones were brought only for purposes of repairing the existing platform for washing of clothes and not for doing any construction which has been completed much before receipt of the notice from the Court. It is also stated that the wall was also completed even before filing of the suit.

3. In view of these statements made on the Affidavit by the respondents no.1 and 2, no case is made out for grant of any interim relief as prayed in the civil application. Accordingly, the civil application is rejected.

N. M. JAMDAR, J.

ap/-