

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 131 OF 2015

IN

FIRST APPEAL NO. 21 OF 2015

SHRI. MANHOHAR JAIWANT SATARDEKAR. ... Applicant
Versus
SHRI JOITKUMAR B. JAIN, THR. HIS
DULY CONSTITUTED P.O.HOLDER SHRI.
MAHESH WAMAN DHARWADJAR AND ANR., ... Respondents

Mr. D. Pangam, Advocate for the applicant.
Mr. Abhay Nachinolkar, Advocate for respondent no.1.

Coram:- F. M. REIS &
C. V. BHADANG, JJ.

Date:- 8th December, 2015

P.C.

Heard Mr. D. Pangam, learned counsel appearing for the applicant and Mr. A. Nachinolkar, learned counsel appearing for the respondent no.1.

2. This is an application to stay the execution proceedings No. 3/2014/A filed by the respondents for the recovery of costs.

3. Mr. D. Pangam, learned counsel appearing for the applicant submits that the applicant is not in a position to pay the costs on account of her precarious financial condition.

4. On the other hand, Mr. A. Nachinolkar, learned counsel appearing for the respondent no.1 submits that the respondent has to be secured for the recovery of costs in case the execution proceedings are stayed.

5. In the peculiar facts and circumstances of the case and taking note of the contention of Mr. Pangam, learned counsel appearing for the applicant, we find it appropriate in the interest of justice to stay the execution proceedings No.3/2014/A only to the extent of the recovery of costs from the applicant subject to the applicant furnishing security to the satisfaction of the Registrar (Judicial) of this Court, within four weeks from today.

6. The application stands disposed of accordingly.

C. V. BHADANG, J.

F. M. REIS, J.

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