

**IN THE HIGH COURT OF BOMBAY AT GOA**

CIVIL APPLICATION NO. 149 OF 2015

IN

CROSS OBJECTION NO. 3 OF 2015

SHRI AGOSTINHO DA COSTA AND 7  
ORS.,

... Applicants

Versus

SHRI. ANTONIO SANTAN FERNANDES AND  
ANR.,

... Respondents

Mr. Vivek Angelo Rodrigues, Advocate for the applicants.  
Ms. Ashwini Agni, Senior Advocate with Ms. K.Govekar for the  
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 10th August, 2015

P.C.:

Heard Mr. V. Rodrigues, the learned counsel for the applicants and  
Mrs. Agni, the learned Senior Counsel for the respondents.

2. Mr. Rodrigues, the learned counsel for the applicants submits that  
at present the applicants have no intention to carry out any repairs  
and/or alterations and they would seek permission of the Court in the  
event any of such alteration/repairs are necessary. In that view of the  
matter, Shri Rodrigues, on instructions does not press for prayer  
clause (b) of the application.

3. By the prayer clause (a) the applicant is seeking stay of a  
direction to demolish the cemented pillars on which, the front portion  
(eaves drop) of the house bearing no.67(1) is resting and to restore

the same with wooden poles. The appeal is already admitted.

4. In such circumstances, the application is allowed in terms of prayer clause (a). The prayer clause (b) is rejected, subject to the liberty to the applicants to approach this Court for permission in the event of carrying out any repairs/alterations.

5. The civil application is disposed of in the aforesaid terms.

C. V. BHADANG, J.

ap/-