

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 241 OF 2013

IN

SECOND APPEAL NO. 147 OF 2013

SHRI. SANVLO DATTA DESSAI

... Applicant

Versus

SMT. INDU DATTA NAIK

... Respondent

Mr. S. S. Kantak, Senior Advocate with Adv. Preetam Talaulikar for
the Applicant.

Mr. Valmiki Menezes, Advocate for Respondent

Coram:- C. V. BHADANG, J.

Date:- 13th July, 2015

P.C.:

Heard Mr. S. S. Kantak, the learned Senior Counsel for the
applicant and Mr. V. Menezes, the learned counsel for the
respondent.

2. The second appeal is already admitted.

3. It is submitted on behalf of the appellant/applicant that the
appellant does not intend to carry out any further construction or
alteration and the appellant undertakes that no such further
construction or alteration in the suit property would be carried out.
The statement is accepted.

4. It is not in dispute that the appellant/applicant is in possession of the property. Hence, part of the impugned judgment and decree directing the appellant/applicant to remove the suit structure along with the construction material dumped in the suit property is stayed, pending the disposal of the second appeal.

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

C. V. BHADANG, J.

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