

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 7 OF 2015

IN

SECOND APPEAL NO. 3 OF 2015

SHRI SAYED SALIM SABUWALA AND
ANR.,

... Applicants

Versus

SHRI PAUL J. KOLLAN AND ANR.,

... Respondents

Mr. L. Raghunandan, Advocate for the Applicants.

Mr. Jagannath P. Mulgaonkar, Advocate for R.no.1 & 2

Coram:- C. V. BHADANG, J.

Date:- 20th August, 2015

P.C.:

Heard Mr. L. Raguhnandan, the learned counsel for the applicants
and Mr. J.P. Mulgaonkar, the learned counsel for the respondents.

2. The Second appeal is already admitted.

3. It is submitted by the learned counsel for the applicant that the amount of Rs.4,55,000/- (Rupees Four lakhs fifty five thousand only) along with interest (as on the date of the deposit) is already deposited in First Appeal No.105/2004 (which was subsequently registered as R.C.A. No.331/2010. In such circumstances, the respondent would be at liberty to withdraw the same on furnishing security to the satisfaction of the Trial Court/Executing Court. The part of the decree

directing the applicant to put the respondent in possession of the suit apartments after completing all the work and along with an area of 114.80 sq.metres, is stayed pending disposal of the second appeal.

4. The civil application is disposed of.

C. V. BHADANG, J.

ap/-