

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 49 OF 2016

IN

APPEAL FROM ORDER NO. 16 OF 2016

SHRI. SANYOG GANESH NARVEKAR AND 3
ORS.,

... Applicants

Versus

SMT. ANJALI SANYOG NARVEKAR AND 2
ORS.,

... Respondents

Mr. Jagannath Jayant Mulgaonkar, Advocate for the applicants.
Mr. Nigel Da Costa Frias, Advocate for the respondent no.1.

Coram:- K. L. WADANE, J.

Date:- 18th March, 2016

P.C.

Heard Mr. J. Mulgaonkar, learned Counsel appearing for the applicants and Mr. Nigel Da Costa Frias, learned Counsel appearing for the respondent no.1.

2. The dispute between the parties is in reference to the pharmacy business run by the appellant no.1/defendant no.1. Initially respondent no.1/plaintiff had no objection for running the business in the individual capacity of the defendant no.1, however the plaintiff has objection to run such business in the name of the respondent no.5.

3. Mr. Mulgaonkar, states that the defendant no.5 will not create/claim any right over the premises in which business of pharmacy is now running.

4. Admittedly, the defendant no.1 is running a business of pharmacy

for last 10 years and there was no injunction order restraining the defendant no.1 from carrying on the business.

5. Mr. Nigel Costa Frias, learned Counsel has objection to stay the operation of the impugned order because the defendants would create right in the premises and there would be legal complications in the matter.

6. Since there was no injunction operating during the pendency of the appeal, the order to the extent of restraining the defendant no.5 from running the business is stayed until disposal of the appeal.

7. Application stands disposed of.

K. L. WADANE, J.

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