

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 579 OF 2016

IN

FIRST APPEAL NO. 79 OF 2015

RAJASHRI @ RAJANI AND 4 ORS.

... Applicant

Versus

MARIA ELSA DE NORONHA WOLFANGO DA
SILVA (DECEASED) THROUGH HER LEGAL
HEIRS.

... Respondent

Shri Jagannath Jayant Mulgaonkar, Advocate for the Applicant.
Shri A.F. Diniz with Shri Ryan Menezes, Advocates for the
Respondent.

Coram:- C. V. BHADANG, J.

Date:- 1st August, 2016

P.C.:

Heard learned Counsel for the applicant and the learned Counsel
for the respondent.

2. The learned Counsel for the respondent has strong objection for
modification of the order on the ground that it was passed after
hearing the parties and no acceptable ground has been shown for
modification.

3. By the order dated 18/06/2016, the execution of the impugned
judgment and decree was stayed on the condition of the applicant
depositing 50% of the arrears of the mesne profits within a period of

eight weeks and furnishing security to the satisfaction of the Executing Court to the extent of the remaining 50%. It is subject to the further condition that the applicant shall continue to deposit Rs.30,000/- per month towards 50% of the mesne profits granted, before the Executing Court on or before 10th of each calendar month.

This order was passed after hearing the parties and there is no acceptable reasons shown for modification of the same.

4. In the result, application is hereby dismissed.

C. V. BHADANG, J.

NH