

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 36 OF 2017

IN

FIRST APPEAL NO. 30 OF 2017

SHRI. NAMDEV NAKUL GAONKAR.,

... Applicant

Versus

SHRI. KRISHNA ARJUN GAONKAR
(DECEASED) REP. BY POA BABONI
KRISHNA GAONKAR, REP. THR. LRS.
AND 7 ORS.,

... Respondents

Mr. Deepak Gaonkar, Advocate for the applicant.
Mr. G. Agni, Advocate for the respondent No.1(b),
Mr. Vishwadh Sardessai, Additional Govt. Advocate for the
respondents No.3,4,5 & 7.

Coram:- F. M. REIS, J.

Date:- 27th April, 2017

P.C.:

Heard Mr. D. Gaonkar, learned Counsel appearing for the applicant, Mr. G. Agni, learned Counsel appearing for the respondents No.1(b) and Mr. V. Sardessai, learned Addl. Govt. Advocate appearing for the respondents No.3, 4, 5 and 7.

2. Though the learned Counsel appearing for the applicants has strenuously pointed out that the learned Trial Judge has failed to examine the material on record whilst coming to the conclusion that the respondent is in possession of the suit portion of land, as reflected in the Judgment dated 30/11/2016,

nevertheless, the fact remains that during the pendency of the suit there was an order in operation whereby the parties were directed to maintain status quo until the disposal of the suit. In such circumstances, without going into the rival contentions, I find it appropriate to dispose of the above application on similar lines.

3. Hence, the parties are directed to maintain status quo of the subject property, until further orders. Liberty to the parties to apply.

4. The application stands disposed of accordingly.

F. M. REIS, J.

ssm.