

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 75 OF 2015

IN

SECOND APPEAL NO. 32 OF 2015

MRS. SHAILEJA SADANAND NAIK AND 3
ORS.,

... Applicants

Versus

SHRI SANTOSH PUNDALIK SHIRODKAR
AND 20 ORS.,

... Respondents

Mr. Sudin Manohar Usgaonkar, Senior Advocate with Ms.
Vinita Palyekar, Advocate for the Applicants.
Mr. Prasheen Lotlikar, Advocate for the Respondent nos. 1, 2(a)
& (b), 3, 8, 9 and 10.

Coram:- F. M. REIS, J.

Date:- 28th July, 2017

P.C.

Heard Mr. Sudin Usgaonkar, learned Senior Advocate appearing for the Applicants and Mr. Lotlikar, learned Counsel appearing for the Respondent nos. 1, 2(a) & (b), 3, 8, 9 and 10.

2. This is an application for interim relief. The Appeal has already been admitted by an Order dated 26.06.2015. In terms of the Judgment passed by the Lower Appellate Court, the Applicants/Appellants have been directed to demolish the subject building as well as an injunction from interfering with the property.

3. Mr. Sudin Usgaonkar, learned Senior Advocate appearing for the Applicants, submits that the subject building is in occupation of different occupants who are also not parties to the said proceedings except one.

4. In the peculiar facts and circumstances of the case, as the Appeal has already been admitted, the operation of the impugned Judgment dated 22.12.2014 passed by the Lower Appellate Court is stayed subject to the Applicants not creating any third party right in respect of the subject suit property.

5. Application stands disposed of.

F. M. REIS, J.

arp/*