IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 270 OF 2015
IN
FIRST APPEAL NO. 125 OF 2015

SALDANHA DEVELOPERS PVT. LTD.,
REPRESENTED BY ITS MD MR.BENEDICT
SALDANHA AND ANR., ... Applicants

Versus

MR.ERIC D'SOUZA AND 7 ORS., ... Respondents

Mr. Vledson Lucio Braganza, Advocate for the applicant.
Mr.S. S. Kantak, Senior Advocate with Mr. P. Talaulikar, Advocate for the respondents.

Coram:- F. M. REIS &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 19th June, 2017

P.C.

Heard Mr. V. Braganza, learned Advocate for the applicant and Mr.S. S. Kantak, learned Senior Advocate for the respondents.

2. This is an application for stay of the operation of the impugned judgment and decree dated 7.8.2015. The learned Counsel appearing for the applicant states that the learned Judge has fail to give the weightage to the amounts spent by the applicant towards maintenance of the concerned society. This contention is strongly disputed by the learned Counsel appearing for the respondents who pointed out that this aspect has been duly dealt with by the learned Trial Judge while passing the

impugned judgment and decree.

3. In the peculiar facts and circumstances of the case and looking into the overall dispute raised in the appeal, we find it appropriate and in the interest of justice to stay the operation of the impugned judgment and decree subject to the applicant depositing in this Court a sum of Rs.25 lakhs within a period of four weeks from today and furnishing a Bank Guarantee to the satisfaction of the Registrar(Judicial) of this Court for a sum of Rs.25 lakhs within four weeks from today.

4. In case the amount is so deposited in this Court, the Registry to invest the such amount in a fixed deposit of any National Bank initially for a period of two years and same be renewed from time to time until the disposal of the appeal.

5. Liberty to the parties to apply.

6. Application stands disposed of accordingly.

PRITHVIRAJ K. CHAVAN, J. F. M. REIS, J.

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