

IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 27 OF 2017

MR. CAETANO BENEDITO FERNANDES AND
ANR., ... Appellants
Versus
MR. BERNARDO RAFAEL FERNANDES AND
ANR., ... Respondents

Mr. Agha Iftikhar, Advocate for the appellants.
Mr. M. B. D'Costa, Senior Advocate with Ms. Ankita Tari,
Advocate for the respondents.

Coram:- F. M. REIS, J.

Date:- 24th February, 2017

P.C.:

Heard Mr. Iftikhar Agha, learned Counsel appearing for the appellants and Mr. M. B. D'Costa, learned Senior Counsel appearing for the respondents.

2. The claim of the appellants in this appeal appears to be on the basis that rent was received by the respondents herein. Admittedly, at that relevant time, the respondents were registered owners of the property which was only conveyed when admittedly the tenant was in occupation. In such circumstances, the Lower Appellate Court has rightly rejected the counter claim. The appeal accordingly stands rejected.

F. M. REIS, J.

ssm.