

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 393 OF 2018

IN

SECOND APPEAL NO. 26 OF 2017

CHANDRASHEKAR SHANTARAM DESSAI
ALIAS SACARAM SHANTARAM DESSAI.,

... Applicant

Versus

NARAYAN SHANTARAM DESSAI (DEC)
THR. HIS LRS. AND ANR.,

... Respondents

Adv. Nigel Da Costa Frias with Adv. L. Sawant for the
Applicant.

Adv. Valmiki Menezes with Adv. A. Shirodkar for the
respondents.

Coram:- C. V. BHADANG, J.

Date:- 15th June 2018

P.C.:

On hearing the learned counsel for the parties, the application
is disposed off in the following terms:

(i) The applicant shall be entitled to carry out the essential
repairs to the roof/ceiling of the store room after obtaining
necessary licence, if so required, from the competent authority.
Any repairs carried out without obtaining any such permission,
shall be at the risk of the applicant.

(ii) The permission to carry out the repairs shall not create any
right or equity in favour of the applicant in relation to the

controversy involved in the second appeal and shall be without prejudice to the rival contentions of the parties including about the claim of possession of the store room.

2. The civil application is disposed off.

C. V. BHADANG, J.

ap/-