

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 21 OF 2019

IN

FIRST APPEAL NO. 30 OF 2017

NAMDEV NAKUL GAONKAR.,

... Applicant

Versus

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

... Respondents

Mr. Deepak Gaonkar, Advcte for the Applicant.
Mr. Gaurish Agni, Advcte for the Respondent no.1(b).
Mr. Praving Faldessai, Additional Government Advocate for the
Respondent nos.3, 4, 5 and 7.

Coram:- C. V. BHADANG, J.

Date:- 18th April 2019

P.C.

Heard the learned Counsel for the parties.

2. By this application, the applicant who is the appellant-original defendant, is seeking an order restraining the respondent no.1(a) herein, original plaintiff, or anybody on his behalf from interfering with the suit portion/property in any manner or in disturbing the applicant's possession over the suit property.

3. Admittedly, there was no such injunction operating in favour of the applicant during the pendency of the suit and therefore it is difficult to see how such a relief can be granted after the applicant has lost the suit on merits and which is decreed in favour of the respondents.

4. In such circumstances, no case for grant of relief is made out.

5. The Civil Application stands dismissed with no order as to costs.

C. V. BHADANG, J.

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