

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 19 OF 2019

HARRIET CAROLINE FERENS, THR. POA
HOLDER, VERMA D'MELLO PATNAIK., ... Appellant

Versus

ANTOINETTE JOHNSON LOBO AND 4
ORS., ... Respondents

Mr. S. S. Kantak, Senior Advocate with Adv. Simoes Kher
Ceazer John for the Appellant.
Adv. Valmiki Menezes with Adv. Shruti Narekar for the
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 17th September, 2019

P.C.:

Heard Mr. Kantak, the learned Senior Counsel for the appellant and Mr. Menezes, the learned counsel for the contesting respondent no.4, who has undertaken the disputed construction.

2. The learned counsel for the parties submit that the appeal can be disposed off by directing that construction which is being undertaken as well as any third party transaction/s entered into by the respondent no.4 in respect of such construction shall be subject to the out come of the suit.

3. In such circumstances, the appeal is disposed off by consent of parties. The construction which is being carried out by the respondent no.4 and any third party transaction/s entered into by the respondent no.4 shall be subject to the outcome of the suit. Subject to this, there is no interference in the impugned order. Rival contentions of the parties are left open. In the circumstances there shall be no order as to costs.

C. V. BHADANG, J.

ap/-