

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 121 OF 2018

IN

SECOND APPEAL NO. 54 OF 2018

YUVRAJ VITHOBA KALANGUTKAR AND
ANR.,

... Applicants

Versus

RATNAKAR VITHOBA KALANGUTKAR AND
ANR.,

... Respondents

Adv. Ashwin D. Bhobe for the Applicants.
Adv. R. G. Ramani for Respondent nos.1 & 2

Coram:- C. V. BHADANG, J.

Date:- 27th March 2019

P.C.:

This is a application for stay of the impugned judgment and decree, by which the applicants have been directed to vacate and deliver the possession of the suit house and the suit property to the respondents/plaintiffs and further to pay the mesne profits at the rate of Rs.1000/- p.m. from December 2000 till the delivery of possession with costs. The Second Appeal is already admitted. Having regard to the fact that the impugned judgment and decree is one for delivery of possession of immovable property, the same is stayed, pending disposal of the second appeal subject to the condition that the applicant depositing the arrears of mesne profits from December 2000 to March 2019 before this Court

within a period of eight weeks from today. The applicant shall continue to deposit Rs.1000/- p.m. from April 2019 onwards on or before 10th of each English Calendar month and shall also deposit the costs. The applicant is at liberty to deposit the yearly mesne profits in advance.

2. The applicant shall not create any third party rights and shall not part with the possession of the suit property in favour of the third party. The Civil application is disposed off in the aforesaid terms.

C. V. BHADANG, J.

ap/-