

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 872 OF 2019

ROSALINA BRANCA DE SILVA AND 7
ORS.,

... Petitioners

Versus

MARCHETA CABRAL AND 2 ORS.,

... Respondents

Mr. Ressano Hector Noronha, Advocate for the Petitioners.

Mr. Arjun F. Naik, Advocate for Respondent No. 1/ Caveator.

Coram:- C. V. BHADANG, J.

Date:- 1st October, 2019

ORAL ORDER:

Heard the learned Counsel for the petitioners and Mr. Naik,
the learned Counsel for the respondent no. 1/Caveator.

2. The challenge in this Petition is to the order dated 20.09.2019,
passed by the Appellate Court, restraining the petitioners
(respondents before the Appellate Court) from proceeding with
the construction.

3. Prima facie, it appears that there was interim relief operating
during the pendency of the application for temporary injunction,
before the Trial Court, which was extended by the learned Trial
Court, after the dismissal of the application for temporary
injunction, by a period of two weeks.

4. Considering the overall circumstances, I find that no case for interference is made out, particularly when the Appeal filed by the respondents is still pending. In the interest of justice, hearing of the Appeal is expedited. The learned District Judge shall proceed to hear the Appeal and shall decide the same as expeditiously as possible and preferably within a period of eight weeks from the receipt hereof. Parties to co-operate for time bound disposal of the Appeal.

The Petition is disposed off in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J.

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