

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 234 OF 2018
IN
SECOND APPEAL NO. 107 OF 2018

Shri. Gurudas Ramchandra Navelkar ... Applicant

Versus

Mrs. Rita de Souza & Anr. ... Respondents

Mr. Ashwin D. Bhobe with Ms. K. Govenkar, Advocates for the Applicant.

Coram : Prithviraj K. Chavan, J.

Date : 05th July, 2019.

P.C. :

Despite several opportunities, the Respondents have not filed say to the application for stay.

2. Heard Shri. Bhobe, learned Counsel for the Applicant. He has drawn my attention to the impugned judgment and decree dated 27.09.2018 passed by the Principal District Judge, South Goa, Margao, in Regular Civil Appeal No.104/2014, by which the appeal came to be dismissed.

3. It is submitted by Shri. Bhobe that the Applicant was inducted in the suit premises as a lessee in the year 1972, and is in continuous possession of the suit property, which comprises a coconut garden as well as structures used for storing necessary implements and for accommodation of labourers. It is submitted that if the judgment and decree is executed, the Appellant would be put to irreparable loss, whereas, there would not be any prejudice to the Respondents if the relief prayed for is granted.

4. After hearing the learned Counsel and going through the impugned judgment and decree of the Courts below, it would be necessary to stay the execution and the implementation of the impugned judgment and decree dated 14.05.2014. Accordingly, prayer clause (a) of the application is granted. The application stands disposed of.

Prithviraj K. Chavan, J.

Dv*