

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 10 OF 2019

IN

APPEAL FROM ORDER NO. 4 OF 2019

MAXWELL DIAS @ MAHMOOD MIRZA., ... Applicant

Versus

HERORA PROJECT PVT. LTD., THR. ITS
DIRECTOR, ROHIT PAUL AND 2 ORS., ... Respondents

Mr. Joaquim Godinho, Advocate for the Applicant.
Mr. M.J. Michael and Mr. Prashant Agrawal, Advocates for the
Respondent No.1.

Coram:- R. D. DHANUKA &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 20th March 2019

P.C.:

A perusal of the impugned order passed by the learned Trial Judge, prima facie, indicates that the learned Trial Judge has not appreciated the crucial aspect whether an injunction could be granted against a third party in respect of the property claimed by her, which was not even the subject matter of the suit.

2. The Civil Application is accordingly made absolute in terms of prayer clause (a). Hearing of appeal is expedited. To be heard with Appeal from Order No. 6 of 2019.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.

Dv