

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 227 OF 2018

IN

FIRST APPEAL NO. 156 OF 2018

SHITIJ BUILD CON. PVT. LTD., THR.
ITS AUTH. SIGN., RRAHUL UPADHYAY., ... Applicant

Versus

USHABAI @ MOGREMBAI MAHADEV SINAI
KAKODKAR, REP. BY ATTORNEY, SHITAL
MAHADEV KAKODKAR AND 13 ORS., ... Respondents

Mr. Sudin Usgaonkar, Senior Advocate with Mr. T. Kamat
Ghanekar, Advocate for the Applicant.
Mr. T. Pereira, Advocate for Respondent No.1.
Mr. R. G. Ramani, Advocate for Respondent Nos.2h1 and 2h2.

Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.

Date:- 21st January, 2020

P.C.

Heard Mr. Usgaonkar, learned Senior Advocate alongwith
Ms. T. Ghanekar for the Applicant and Mr. Ramani and Mr. T.
Pereira, learned counsel for some of the Respondents.

2. Mr. Usgaonkar states that service in this matter is
complete.

3. First Appeal is already admitted. In terms of impugned
judgment and decree, there is a direction to the Sub Registrar of

Canacona to cancel the Deeds of Sale referred to in paragraph 1 of the Civil Application. According to us, since the appeal is already admitted, it will be appropriate if the direction for cancellation of deeds of sale referred to in paragraph 1 of this Civil Application is stayed. Accordingly, we stay the direction in so far as cancellation of the said deeds of sale is concerned.

4. However, it is made clear that the Applicant, on the basis of such deeds of sale will not create any third party right in so far as the properties are concerned.

5. The Civil Application is disposed of in the aforesaid terms.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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