

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION NO. 66 OF 2022
IN
SECOND APPEAL NO. 98 OF 2019**

NARAYAN H. PATIL AND ANR

... Applicants.

Versus

RAJARAM PATIL

.... Respondent.

Mr P.P. Singh, Advocate for the Appellants.

Mr Gaurish Agni with Mr K. Kavelkar, Advocates for the Respondent.

CORAM: M. S. SONAK, J.

DATED : 2nd FEBRUARY 2023

P.C.:-

1. Hear Mr P.P. Singh for the Applicant and Mr K. Kavlekar for the Respondent.
2. The Appeal is already admitted by order dated 30/9/2022. On that date, an ad interim relief was granted restraining demolition of the entire first floor of the Appellants' house in terms of the decree impugned. Since the appeal is admitted, it would not be appropriate to let the execution proceedings to proceed because such an exercise would result in demolition of the entire first floor of the Appellant's house.

3. Accordingly, the ad interim relief granted on 30/9/2022 is confirmed. Until disposal of this Appeal, the impugned Decree will not be enforced and pursuant to the same, no demolition shall be undertaken. However, even the Appellants will have to also maintain status quo regards any further constructions.

4. Civil Application No. 66 of 2022 is disposed of.

M. S. SONAK, J.