



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.48 OF 2023

WITH

FIRST APPEAL NO.13 OF 2021, FIRST

APPEAL NO.68 OF 2023,

FIRST APPEAL NO.69 OF 2023, FIRST

APPEAL NO.13 OF 2021,

FIRST APPEAL NO.14 OF 2021

CIVIL APPLICATION NO.48 OF 2023

IN

FIRST APPEAL NO.13 OF 2021

MOHAN SHRINIVAS KAMAT

AND ANR

... APPLICANTS

Versus

DILIP SHRINIVAS KAMAT

AND 9 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.13 OF 2021

MOHAN SHRINIVAS KAMAT

AND ANR

... APPELLANTS

Versus

DILIP SHRINIVAS KAMAT

AND 9 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.68 OF 2023

DILIP SHRINIVAS KAMAT
AND ANR

... APPELLANTS

Versus

MOHAN SHRINIVAS KAMAT
AND 9 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.69 OF 2023

DILIP SHRINIVAS KAMAT
AND ANR

... APPELLANTS

Versus

MOHAN SHRINIVAS KAMAT
AND 9 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.13 OF 2021

MOHAN SHRINIVAS KAMAT
AND ANR

... APPELLANTS

Versus

DILIP SHRINIVAS KAMAT
AND 9 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.14 OF 2021

MOHAN SHRINIVAS KAMAT
AND ANR

... APPELLANTS

Versus

DILIP SHRINIVAS KAMAT

AND 9 ORS

... RESPONDENTS

Ms. Marie Rosette Pereira, Advocate for the Applicants.

Ms. Marul Naik Gaonkar, Advocate for Respondent Nos. 1 and 2.

**CORAM:- M. S. KARNIK &
VALMIKI MENEZES, JJ.
DATED :- 4th July, 2024**

P.C.:

1. Learned Counsel for the Respondent Nos. 1 and 2 seeks time to file affidavit in reply to the Civil Application. Respondent Nos. 1 and 2 are original plaintiffs.
2. Heard learned Counsel for the Applicants in CA No. 48/2023 and the learned Counsel for the Respondent Nos. 1 and 2. Respondent Nos. 1 and 2 are original plaintiffs. The suit filed by the Plaintiffs is partly decreed. Plaintiffs are held entitled for 1/4th share in the property. The learned Counsel for the Applicants-original Defendant Nos. 1 and 2 prays for stay of the decree.

3. Learned Counsel for Respondent Nos. 1 and 2 on instructions submits that presently they do not intend to make any application for execution of the decree and that even they have filed an appeal against the decree.

4. In this view of the matter, Civil Application No. 48/2023 is disposed of by keeping the liberty of the Applicants open to file a fresh application for stay. In the event, Plaintiffs are inclined to file any proceedings for execution of the decree, the Plaintiffs may give two weeks advance notice to the Applicants herein.

VALMIKI MENEZES, J.

M. S. KARNIK, J.