



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

**CIVIL APPLICATION NO.70 OF 2024
WITH
SECOND APPEAL NO.34 OF 2024**

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CAJETAN D SOUZA ALIAS CAETANO D
SOUZA

... APPLICANT

Versus

LAMARTINA DE ROCHA SINCE DECEASED
THROUGH LEGAL HEIR

... RESPONDENTS

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LAMARTINA DE ROCHA SINCE DECEASED
THROUGH LEGAL HEIR

... RESPONDENTS

Mr. S . M. Singbal, Advocate for the Applicant.

Mr. R. G. Ramani, Senior Advocate with Mr. P. Kakodkar, Advocate
for the Respondents.

CORAM:- M. S. KARNIK, J.

DATED :- 6th December, 2024

P.C.

Heard learned Counsel for the Applicant.

2. The applicant has pressed for stay of the Order of the Appellate Court in this application.

3. I have gone through the detailed Order of the Appellate Court and

having perused paragraphs 47 and 48 of the trial Court's Order, I am not inclined to grant this application in its entirety.

4. Subject to the deposit of Rs. 3,00,000/- in this Court by the applicant within a period of eight weeks from today, the execution of the Judgment and Decree under challenge so far as the relief to pay the sum of Rs.3,00,000/-, shall remain stayed. Upon deposit, the amount be invested in any nationalised bank.

5. Liberty to the respondents to apply for withdrawal after the amount is deposited.

6. Application is disposed of.

M. S. KARNIK, J.