



S.

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.54 OF 2024

IN

FIRST APPEAL NO.63 OF 2024

Caesar Vaz

... Applicant

Versus.

Ronald Gama

... Respondent

Mr Ashwin D. Bhobe, Advocate *with* Ms Nicole N. Mayekar,
Advocate for the Appellant.

Mr Hanumant D. Naik, Advocate *for the Respondent.*

CORAM: VALMIKI MENEZES, J.

DATE: 19th July, 2024

P.C.

1. Heard Shri Ashwin Bhobe, learned Counsel for the Applicant and Shri Hanumant Naik, learned Counsel for the Respondent.
2. The Civil Court, by order dated 19.01.2024 had granted an order of interim injunction restraining the defendant/present respondent from creating third party rights in the suit plot till final disposal of the suit upon the applicant/original plaintiff depositing an amount of Rs.1,80,00,000/- (Rupees One Crore Eighty Lakhs only) in the bank account of the trial Court. The aforementioned amount was deposited by the appellant immediately after passing the order of injunction. However, by the impugned decree, the trial Court has dismissed the suit and has decreed that the aforementioned amount be refunded to the plaintiff/applicant herein after the appeal period expires.

3. In this view of the matter, it would be in the interest of justice that the interim order dated 19.01.2024 passed by the trial Court would continue to operate during the pendency of this appeal. The respondent is hereby restrained from creating any third party rights over the suit plot till the disposal of this appeal. Necessarily, the plaintiff/applicant herein shall not withdraw the sum of Rs.1,80,00,000/-(Rupees One Crore Eighty Lakhs only) deposited in the bank of the trial Court until the disposal of this appeal.
4. The application stands disposed of in the above terms.

VALMIKI MENEZES, J.