



Esha

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.705 OF 2024

ANA BRIGIDA DE SOUZA, THR. HER
DULY CONST. ATTO., CHERYL ANN
MENEZES

... PETITIONER

Versus

MARIAN ELIZABETH HANKINS

... RESPONDENT

Mr. J.E. Coelho Pereira, Senior Advocate with Mr. Vledson Braganza and Mr. Sagar Rivankar, Advocates for the Petitioner.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 13th November, 2024

P.C.

Heard Mr. Pereira appearing with Mr. Braganza and Mr. Rivankar for the Petitioner.

2. The challenge in the present Petition is to the order passed by the first Appellate Court thereby reversing the order of the Trial Court and granting injunction in favour of the Respondent.

3. Mr. Pereira would submit that the Respondent is occupying the bungalow belonging to the Petitioner on leave and license basis, however, once the term of leave and license expired, the Respondent had no right to continue the occupation. It is submitted that the Respondent is a resident of England.

4. The Respondent filed a suit claiming that the Petitioner is trying to illegally dispossess the Respondent and also applied for temporary injunction.

5. Mr. Pereira submits that such injunction has been rightly rejected by the Trial Court, however, the first Appellate Court without considering the aspect of occupation on leave and license basis, granted injunction.

6. Issue notice to the Respondent, returnable on 04.12.2024. Apart from regular service, service by humdast is granted.

BHARAT P. DESHPANDE, J.