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IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION NO.36 OF 2025

NATIONAL INSURANCE CO. LTD., THR.
ITS DIV. MAN., MONIKA SIDHU
Versus
GUIDO LOYALA FURTADO

... APPLICANT

... RESPONDENT

Ms. Yadika Mandrekar, Advocate for the Applicant.

Mr. J. Godinho, Advocate for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 3rd July, 2025

P.C.:

1. Registry to waive objections and register the matter.
2. This is an application for a stay of the Execution Proceeding No. REX/12/2022/B, pending before the Civil Judge Senior Division, Panaji, Goa, seeking execution of the impugned Decree dated 18.12.2021, which is the subject matter of the Execution Proceeding.
3. According to the learned Advocate for the Applicant, the Decree grants mesne profit calculated by the Applicant to the amount of Rs.1,23,61,717.00/-. This amount is however, disputed by Mr. Godinho. learned Advocate appearing for the Respondent who submits

that mesne profit amount to Rs. 1,24,81,160/-, which is the principal amount of rent due with a further amount claimed with interest at 10% from the year 1995 to 2013, totalling the amount to Rs.2,22,38,243/-. According to Mr. Godinho, learned Advocate for the Respondent, this is the claim made by the Petitioner before the Executing Court. He submits that he claims further interest on the principal amount before the Executing Court.

4. Learned Advocate for the Applicant has submitted a cheque of Rs. 12,361,717/- which shall be deposited with the Registry of this Court by 04.07.2025. The Registry to accept the same.

5. Considering that the amount tendered is deposited to secure the Decree, substantially covers the principal amount, the Executing Court may proceed with the execution and decide whether the amount of interest on the balance principal amount claimed by the Decree Holder is due under the Award after taking into consideration the amount deposited in this Court. If the Executing Court concludes that any amount is due, it may execute the Decree insofar as that determined amount, after adjusting the amount deposited before this Court.

6. The application stands disposed of.

VALMIKI MENEZES, J.