



Jose

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.28 OF 2025

IN

FIRST APPEAL NO.2937 OF 2024 (F)

EKNATH PRABHAKAR MORASKER AND 5

ORS

... APPLICANTS

Versus

CHANDRAKANT GOPAL PRABHU DESSAI

(EXPIRED) AND 3 ORS

... RESPONDENTS

Mr. S.D. Lotlikar, Senior Advocate with Mr. Sarvesh Sawant,
Advocate for the Applicants.

Mr. Austin Moraes, Advocate for Respondent Nos.1(a) to 1(h) and 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 11th June, 2025

P.C.:

1. By the impugned Decree, the Trial Court has declared the Sale Deed dated 30.05.2017 to be a nullity. An interim relief is sought pending the hearing of the First Appeal No.2937/2024(F) to stay the operation and execution of the Decree to cancel the said Sale Deed.

2. Considering that the Decree sets aside Sale Deed dated 30.05.2017, subject matter of which is 1/3rd share in land under Survey No.230/1 of Village Dhargal, staying the operation of the entire Decree would not be appropriate at this stage. The cancellation of the Entry of Registration of this Sale Deed may not be effected for

the moment. It is made clear that the Appellants shall not create any third party rights in the aforementioned property or alienate the same or in any manner change the nature of the property, pending disposal of the Appeal.

3. Application stands disposed of in the above terms.

4. Call for the records and proceedings of SCS/79/2018/C/A of the Court of Civil Judge Senior Division, 'A' Court, Mapusa.

VALMIKI MENEZES, J.