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IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.90 OF 2026

IN

CIVIL APPLICATION NO.29 OF 2024

RATNAKAR ATMARAM DABHOLKAR AND

ANR.,

... APPLICANTS

Versus

SADASHIV KESHAV DABHOLKAR

... RESPONDENT

Mr. Sudin Usgaonkar, Senior Advocate with Ms. Divya Parab, Advocate for the Applicant.

Mr. D. Lawande with Mr. Chirag Angle, Advocates for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 17th February, 2026

P.C.:

1. Registry to waive office objections and register the matter.
2. Heard learned Advocates for the parties.
3. The Respondent herein/original Appellant in Second Appeal No. 21/2024 has filed an affidavit in reply dated 13.01.2026. In the affidavit in reply, more specifically at paragraph No. 8 thereof, the Respondent has stated and clarified that he would not carry out any further alterations to the subject residential house, on instructions, learned Advocate Mr. Lawande, further makes a statement on behalf of the Respondent/original Appellant that the Appellant would not carry out any further construction in the suit property which is land

under Survey No. 191/1 of village Morjim and would maintain the status quo regarding the further construction in the property as on today. The statement is accepted and it is clarified that the Respondent herein/original Appellant shall not carry out any further construction in the property until disposal of the Appeal.

4. The original Appellant shall place on record an affidavit with photographs of the suit property and the status of the construction therein, as of today; this shall be done by 20.02.2026.

5. The undertaking as given above shall also to be recorded in the affidavit be filed along with the photographs. The same is accepted as an undertaking to the Court, which shall be strictly abided by the Respondent/original Appellant. This statement is made in the presence of the Respondents in the Appeal/Applicants herein. In view of the undertaking now given, the learned Senior Advocate appearing for the Applicants does not further press for any reliefs as prayed for in the application.

6. The application is disposed of on accepting the aforementioned undertaking.

VALMIKI MENEZES, J.