



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 508 OF 2025

1. Mr. Antonio Joao Bosco Lobo,
Son of late Jose L. Lobo,
Aged about 76 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa.

2. Mr. Luis F. da Piedade Lobo,
Son of late Jose L. Lobo,
Aged about 75 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa.
(Represented herein by his
true and lawful attorney,
Mr. Antonio Joao Bosco Lobo,
Son of late Jose L. Lobo,
Aged about 76 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa.

3. Mr. Fernando Jose Lobo,
Son of late Jose L. Lobo,
Aged about 73 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa.

4. Mr. Mario Francisco
De Conceicao Lobo
Son of late Jose L. Lobo,

Aged about 66 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa.
(Since deceased, through):

4a. Maria Asha Lobo,
Aged about 75 years,
Widow of late Mr. Mario
F. De Conceicao Lobo,
Resident of Feira Alta,
Mapusa, Bardez, Goa.
(represented herein by her
True and lawful attorney,
Mr. Jose Carlos Lobo,
Son of Mr. Antonio Lobo,
Aged about 40 years,
Resident of Feira Alta,
Mapusa, Bardez, Goa). ... Petitioners

Versus

The Goa Housing Board.
Through its Managing Director,
Having office at the
Goa Housing Board Building,
Porvorim, Bardez, Goa. ... Respondent

Mr. Ryan Menezes, Advocate for the Petitioners.

Mr. Hanumant D. Naik (through V. C.), Advocate for the
Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 6th FEBRUARY, 2026

ORAL JUDGMENT:

1. Heard learned Advocates for the parties.
2. Rule. Rule is made returnable forthwith; at the request of and with the consent of learned Advocates for the parties, the matter is finally heard and disposed of. Learned Advocate Mr. Ryan Menezes appears on behalf of the Petitioners, and learned Advocate Mr. Hanumant D. Naik waives service on behalf of the Respondent.
3. The Executing Court i.e. the Court of Ad-hoc District Judge-2, North Goa at Mercas, has disposed of Execution Application No. 286/2016 on the sole ground that the Special Leave Petition (SLP) filed by the Judgment Debtor was pending before the Hon'ble Supreme Court. The impugned order granted the Petitioner liberty to file a fresh Execution Application pending on the outcome of the Hon'ble Supreme Court.
4. It is a matter of record that the Executing Court, by its order dated 15.04.2019, holds that the Petitioner is entitled to a share of the compensation granted to their deceased father/uncle and aunt. That order came to be assailed by the Respondent before

this Court in Writ Petition No. 455/2019, which came to be dismissed by Judgment dated 19.08.2023, which was further assailed by the Respondent before the Supreme Court in Special Leave to Appeal (C) Nos. 10071/2024. However, despite, the order of this Court dated 19.08.2023, dismissing the Writ Petition No. 455/2019, and upholding the Executing Court's order dated 15.04.2019, instead of proceeding with the Execution Application, has in a hot hurry disposed of the Execution Proceeding, by passing the impugned order dated 17.06.2025. Irrespective of the SLP being filed, it was incumbent of the Executing Court to dispose of the Execution Application and execute the Award in favour of the Petitioner/Legal Representatives of the Decree Holder, subject to such objections, if any.

5. On this count alone, the impugned order dated 17.06.2025, must be quashed and set aside, and the Execution Application No. 286/2016, be restored to the file of the Ad-hoc District Judge-2, North Goa at Mercas. Consequently, the impugned order dated 17.06.2025 is quashed and set aside, and the Executing Court i.e. the Court of the Ad-hoc District Judge-2, North Goa at Mercas, shall now proceed to dispose of the Executing Application No. 286/2016 expeditiously, and in any event by 30.04.2026. Needless to state, the parties before the

Executing Court shall be heard before the final disposal of the matter. Rule is made absolute in the above terms.

6. Parties to place an authenticated copy of this order before the Executing Court. Parties shall now appear before the Executing Court on 12.02.2026 at 2.30 p.m.

VALMIKI MENEZES, J.