

IN THE HIGH COURT OF BOMBAY AT GOA

**LD-VC-OCW-23-2020**

Mr. Devidas Damodar Sattarkar and 2 others .... Appellants

Versus

State of Goa and 6 others .... Respondent.

Shri A. Monteiro, Advocate for the appellants.

Ms. S. Kamat, Additional Government Advocate for the respondent Nos. 1 to 4.

**Coram:- NUTAN D. SARDESSAI, J.**

**Date :- 2<sup>nd</sup> June,2020**

P.C.:

Heard Shri A. Monteiro, learned Advocate for the applicants.

2. Ms. S.Kamat, learned Additional Government Advocate waives notice on behalf of the respondent Nos.1 to 4.

3. It was the contention of Shri Monteiro, learned Advocate that he was the owner in possession of the property bearing Survey No.52/1 situated at Sancoale, Vasco pursuant to the Deed of Sale of 1998. A portion thereof was sold by the defendant Nos.5 to 7 by a Sale

Deed of 2013 comprising of survey holding No.52/1A being a part and parcel of the larger property bearing survey No.52/1 purchased by him in 1998. He was initially secured by an order of temporary injunction during the pendency of the suit which however came to be vacated but there was no interference in the suit property till the suit came to be dismissed and so too the counter claim raised by the respondent Nos.5 to 7. He produced the photographs on record apart from the supporting affidavit to substantiate his case that there were acts of interference by the respondent Nos.5 to 7 in the property which were required to be secured from such acts of transgression by an order of this Court. Looking to the tenor of the case and photographs on record ad-interim relief granted in favour of the applicant in terms of prayer clause 'b' till the returnable date qua the respondent Nos.5 to 7.

4. Issue notice to the respondent Nos.5 to 7, returnable on 22/06/2020.

**NUTAN D. SARDESSAI,J.**

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