



Meena

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.465 OF 2026 (F)

IN

APPEAL FROM ORDER NO.464 OF 2026 (F)

DORIS THERESA VELJEE AND ANR

... APPLICANTS

Versus

JOEL JULIANO DSOUZA AND 2 ORS

... RESPONDENTS

Mr. Parag Rao with Mr. Chirag Angle, Advocates for the Applicants.

CORAM:- VALMIKI MENEZES, J.

DATED :- 17th April, 2026

P.C.:

1. A Court notice to Respondent Nos. 1 and 2 has been served through Registered Speed Post A.D. the tracking report suggests that Respondent Nos. 1 and 2 have been served. However none appears on behalf of the Respondent Nos. 1 and 2.

2. The Executing Court has disposed of the Executing Proceeding No.2/2022/A pending before the Civil Judge Senior Division Mercas on 23.01.2026, by way of the impugned order. From the record it appears that though the auction was held of the property which is subject matter of attachment i.e. flat No.701, RIZVI Towers, C wing, St. Inez, Panaji, Goa, till date, the said order of sale by way of auction has not been confirmed and no Sale Certificate has been issued by the

Executing Court.

3. However, perusal of the Roznama of the Executing proceedings reveals that there is no endorsement of the deposit of the auction price by the successful bidder in the course of auction. The Roznama also does not specify details of the auction proceedings or his address, apart from recording the name of the successful auction purchaser Yajvin Rakesh Pahwa.

4. Considering all these facts, the Executing Court dealing with the executing proceeding No. 2/2022/A shall be refrained from issuing a Sale Certificate or from confirming the sale or releasing the amount deposited by the successful auction purchaser before the Executing Court. The Executing Court shall not give possession of the premises sold under the Court auction. This order shall operate until the next date of hearing, which shall be 19.06.2026. Leave is also granted to the Appellant to implead the auction purchaser as Respondent No.4, on obtaining the auction purchaser's full name and address. Impleadment may be carried out within a period of three weeks, if the impleadment, along with the address of the auction purchaser, is done within three weeks, issue notice to the newly added Respondent No.4, returnable on 19.06.2026. The notice may be served by regular mode. In addition, notice shall also be issued through Registered Speed Post AD. The Registry of this Court to provide the Petitioner with the receipt number of the speed post parcel to enable the petitioner to file

the tracking report.

5. An authenticated copy of this order shall be placed before the Executing Court by the Appellant. In addition, the Registrar (Judicial) of this Court shall also ensure that this order is communicated to the Court of the Civil Judge Senior Division, A Court at Merces for necessary action.

VALMIKI MENEZES, J.