



Esha



IN THE HIGH COURT OF BOMBAY AT GOA

MISCELLANEOUS CIVIL APPLICATION NO. 182 OF 2026
IN
SECOND APPEAL NO. 54 OF 2018

YUVRAJ VITHOBA KALANGUTKAR
AND ANOTHER

... APPLICANTS

~ VERSUS ~

RATNAKAR VITHOBA KALANGUTKAR
(D), THR. LRs

... RESPONDENTS

APPEARANCES:

for the Applicants *Ms. Annelise Fernandes with Ms. S. Costa Martins*

for the Respondents *Mr. Pranav Shenvi Kakodkar*

CORAM : AMIT S. JAMSANDEKAR, J.

DATED : 17th APRIL 2026

P.C:

1. Heard the learned Counsel for the Applicants/Petitioners and the learned Counsel appearing for the Respondents.



2. On the last occasion, after hearing the learned Counsel for the parties for some time, the matter was adjourned to enable the learned Counsel for the Respondents to seek instructions from the Respondents in the matter. Today, the Learned Counsel for the parties submitted that they have taken instructions from their respective clients and therefore the Application can be disposed of by consent.
3. Hence, the following order is passed by consent of the learned Counsel for the parties:-

O R D E R

- (i) The Application is allowed in terms of prayer clause (a), which reads as follows:-

“(a) This Hon’ble Court be pleased to grant permission to repair the roof of the said house considering the urgency of the situation and oncoming monsoon.”

- (ii) The relief in terms of prayer clause (a) as quoted above, is granted without prejudice to the rights and contentions of the Respondents.

- (iii) The statement made by the Applicants that the Applicants shall not claim any equity by virtue



of this order granting the relief in terms of prayer clause (a) as quoted above, is accepted.

(iv) The statement made by the Applicants that the Applicants shall be solely responsible to ensure that the old structure is not damaged and/or collapsed during the repairs carried out to the roof, is also accepted.

The statements made by the Applicants at clauses (iii) and (iv) above are recorded as an undertaking given to the Court.

4. The **Application is disposed of** in the above terms.
5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[**AMIT S. JAMSANDEKAR, J.]**