

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 426/2014**

1) Mr. Sales Fernandes,
major of age,

2) Mrs. Leena Fernandes,
54 years of age,
both residing at House No.
5/64, Madda vaddo,
Calangute, Bardez, Goa.

..... Petitioners.

V/s.

1) Domingos Francisco Fernandes,
78 years of age, widower,
residing at H.No.5/64-A,
Madda vaddo, Calangute, Bardez, Goa.

2) Inacina Pereira, major of age,

3) Pedro Santana Pereira,
major of age,
Both residing at
House Borim, Ponda, Goa.

4) Damao Fernandes, major of age,

5) Fatima Fernandes, major of age,
Both residing at House No.64,
Madda Vaddo, Calangute, Bardez, Goa.

..... Respondents.

Mr. Valmiki Menezes, Advocate for the petitioners.

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. Raghunath Shetkar,
Advocate for the respondents.

CORAM :- F.M. REIS, J.

Date : - 6 August 2015.

ORAL JUDGMENT :

Heard Mr.Valmiki Menezes, learned Counsel appearing for the petitioners and Mr. J.E. Coelho Pereira, learned Senior Counsel appearing for the respondents.

2. Rule. Heard forthwith, with the consent of the learned Counsel. Learned Counsel appearing for the respondents waives notice.

3. During the course of the hearing of the above petition, Mr. Valmiki Menezes, learned Counsel appearing for the petitioners and Mr. J.E. Coelho Pereira, learned Senior Counsel appearing for the respondents have pointed out that the parties have amicably settled their disputes and executed consent terms, *inter se* agreed the mode of allotment of the disputed assets which are the subject matter of the Inventory Proceedings No.353/2009/E pending before the learned Civil Judge, Junior Division, Mapusa upon the death of Cecilia Fernandes. The Consent Terms have been duly signed by the parties to

the proceedings, along with their respective Counsel. The parties who are present in the Court have admitted the contents and accepted the Consent Terms. The Consent Terms are taken on record and marked “X” for identification. A copy of the General Power of Attorney of the respondents is also produced on record and is marked “Y” for identification.

4. In view of the above, the writ petition stands disposed of in terms of the Consent Terms marked “X” for identification. The learned Civil Judge, Jr. Division, Mapusa shall proceed to pass necessary orders in terms of the Consent Terms in the pending Inventory Proceedings. Rule stands disposed of accordingly.

F.M. REIS, J.

ssm.