

**IN THE HIGH COURT OF BOMBAY AT GOA**

**FIRST APPEAL NO. 92 OF 2003**

Shri Vishwanath Yeshwant Corbo  
of major age, residing at  
Pazwado, Bicholim Goa.

..... Appellant

***V e r s u s***

Smt. Nalini Apa Nipanikar,  
of major age, residing at  
Bairo Alto, Mapusa Goa.

..... Respondent

Mr. Sudesh Usgaonkar, Advocate for the appellant.

Mr. A. Kansar, Advocate for the respondent.

**Coram:- F. M. REIS, J.**

**Date:- 29th July, 2016**

**ORAL JUDGMENT**

Heard Mr. Sudesh Usgaonkar, learned counsel appearing for the appellant and Mr. A. Kansar, learned counsel appearing for the respondent.

2. The above appeal challenges the judgment passed by the learned Trial Judge whereby the suit filed by the appellant for annulment of marriage came to be dismissed and the counter claim filed

:2:

by the respondent for restitution of conjugal domicile came to be allowed.

3. During the course of the hearing of the above appeal, both the learned counsel pointed out that in the meanwhile in terms of the relevant provisions of law the proceedings for divorce by mutual consent were initiated before the concerned Court and after due formalities the final decree for divorce by mutual consent was accordingly passed on 14.03.2016. In such circumstances, it is pointed out that nothing survives in the suit filed by the appellant as well as in the counter claim filed by the respondent.

4. The appellant and the respondent have duly signed the consent terms along with their respective counsels. The learned counsel appearing for the appellant and the respondent have duly identified the signatures of the appellant and the respondent. The appellant is also present in Court and confirmed the consent terms. The order passed by the learned Judge confirming the divorce by mutual consent is also attached along with the endorsement published in the Official Gazette. The consent terms and the annexures are taken on record and marked 'X'

:3:

for identification.

5. In view of the above, I pass the following :

**O R D E R**

and decree 10.06.1999

Corrections  
carried out as  
per order dated  
20.12.2016

(i) The impugned judgment/dated ~~14.03.2016~~ is quashed  
and set aside.

(ii) The suit filed by the appellant and the counter claim  
filed by the respondent stand dismissed as withdrawn.

(iii) The appeal stands disposed of accordingly with no  
order as to costs.

**F. M. REIS, J.**

**at\***