

IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO.444 OF 2016.

- 1 Shaikh Abdul Shaikh Jamal,
Major of Age, Indian
National, Residing at Fr.
Agnelo Road, Next to
Church View Building,
Panaji, Goa. (Since
deceased) Through legal
representatives.

- 2(a) Mrs. Hafiza Bi, residing at
Fr. Agnelo Road, next to
Churchview Building, Panaji
Goa
(since deceased) Through
legal representatives

- 2.a.a. Mr. Jamaluddin Shaikh
- 2.a.b. Mr. Abdulkadar Shaikh
- 2.a.c. Mr. Hussein Shaikh
- 2.a.d. Mr. Ali Ahmed Shaikh
- 2.a.e. Mr. Sadiq Shaikh
- 2.a.f. Rashida Shaikh
- 2.a.g. Aisha Shaikh
- 2.a.h. Nassima Shaikh
- 2.a.i. Maksooda Shaikh
- 2.a.j Mrs. Dilshad Shaikh
- 2.a.k. Mrs. Zulekha Shaikh
- 2.a.l Mrs. Nikhat Shaikh
- 2.a.m. Mrs. Sharifa Shaikh ... Petitioners.

Versus

1. Mr. Jose Elmano Coelho
Pereira, Major in age, son of

late Abilio Coelho Pereira,
Senior Advocate, Indian
National, Residing at E-27,
Dada Vaidya Road, Panjim,
Goa.

2. Dr. Joaquim Alvaro
Herlander Coelho Pereira
Major in age, son of late
Abilio Coelho Pereira,
residing at Flat 17, Citigate,
78 St. Clement Street,
Oxford OX41AW,
Represented by his
constituted Attorney
Respondent no.1.

3. Dr. Luis Amandio Coelho
Pereira major of age, son of
late Abilio Coelho Pereira,
Cardiologist, residing at 12,
Sagar Sangeet, Colaba,
Mumbai, India Represented
by his constituted Attorney
respondent no.1.

... Respondents.

Shri H. D. Naik, Advocate for the petitioners.

Shri S. Karpe, Advocate for the respondent nos.1 to 3.

CORAM : F.M. REIS, J.

DATE :23rd December,2016.

ORAL JUDGMENT

Heard H. D. Naik, learned Counsel for the petitioners
and Shri S. Karpe, learned Counsel for the respondent nos.1 to
3.

2. Rule.

3. Heard forthwith with the consent of the learned Counsel appearing for the respective parties.

4. The learned Counsel appearing for the respondents waives service.

5. The above petition was heard at length and considering the nature of the dispute between the parties, it was suggested that the parties could amicably settle their dispute and dispose of the suit filed by the respondents/plaintiffs. Thereafter negotiations between the parties took place and it was pointed out that the petitioners and the respondents have agreed to get the suit itself disposed of in terms of the consent terms.

6. Shri H. D. Naik, learned Counsel for the petitioners upon instruction of the petitioners tenders an unconditional apology for the breach committed of the order of temporary injunction. Accepting the said apology, I find that the above

petition can be disposed of based on the consent terms. The petitioners and the respondents have duly signed the consent terms. Consent terms are also duly signed by the learned Counsel appearing for the petitioners and the respondents. Shri Naik has identified the signature of the petitioners on the consent terms so also Shri Karpe, learned Counsel has identified the signatures of the respondents therein. The consent terms are accepted and taken on record and marked "X" for identification.

7. In view of the above, I pass following order:-

ORDER

- (i) The learned Judge is directed to dispose of the suit being Regular Civil Suit No. 94/1993/D in terms of the consent terms marked "X" for identification.
- (ii) Rule is made absolute in the above terms.

F.M. REIS, J.

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