

IN THE HIGH COURT OF BOMBAY AT GOA.**WRIT PETITION NO.668 OF 2016.**

- 1 Mr. Tome @ Thomas Nolasco,
Isidoro de Mendonca, s/o late
Mr. Joao Paulo de
Mendonca and Mrs. Beatriz
Isabel Angelina Pinto @
Beatriz Pinto
- 1(a) Mrs. Elizabeth Fernandes,
widow, housewife,
- 1(b) Mr. Anderson Fernandes; major
of age, Both r/o Zoidar Vaddo,
Nachionola, Bardez, Goa.
- 1(c) Mrs. Carmine Pereira, major,
married, housewife, through
her constituted attorney
Petitioner No.1(a)
- 1(d) Mr. Reginaldo Pereira, major,
married, husband of Petitioner
No.1(c) above, Both r/o
Naigaon, District Thane,
Maharashtra, through his
constituted attorney Petitioner
No.1(a).
- 1(e) Mr. Francis Mendonca, major,
unmarried, service, through his
constituted attorney Petitioner
No.1(a).
- 1(f) Mr. Ignatius Mendonca, major,
unmarried, service, Both r/o
Zoidar Vaddo, Nachionola,
Bardez, Goa, through his
constituted attorney Petitioner
No.1(a).
2. Mrs. Aramita Carlota Do Souza
@ Aramita Carlota de
Mendonca, widow of Petitioner
No.1 above named.

3. Mrs. Maria Filomena Rita de Mendonca, @ Maria Filomena Rita Fernandes, d/o late Joao Paulo de Mendonca and Mrs. Beatriz Isabel Angelina Pinto @ Beatriz Pinto
 4. Mr. Pedro @ Peter Paulo Francisco Lazaro Fernandes, (Since deceased) husband of Petitioner no.3 above named, All r/o Carona, Aldona, Bardez, Goa.
 - 4(a) Mrs. Myra Fernandes, d/o Petitioner No.4 above named, 38 years of age, in service, married to
 - 4(b) Mr. Elroy Alan Bismark Ribeiro (since deceased), represented by Petitioner No.4(a) above named, Both r/o Primos Park, C-1, Flat No.G3, Corlim, Ilhas, Goa.
 - 4(c) Mrs. Blossom Loretta Fernandes, Wife of Respondent no.11 above named, about 38 years of age, housewife, Both r/o H. No.1289, Devereny, Carona, Goa.
- Petitioners.

Versus

1. Mrs. Justina Preciosa Lobo, Major of age, w/o late Eduardo Jose Francisco Caridade Pedro Nolasco Mendoca alias Caridade Mendonca;
2. Mr. Joao Agnelo do Mendonca, Major of age, s/o of late Caridade Mendonca;

3. Mrs. Loretta Alda Mendonca,
Major of age,
 4. Mr. John Cyril Mendonca,
Major of age, s/o of late
Caridade Mendonca
 5. Mrs. Wilma Rose Mendonca,
Major of age,
 6. Miss Vilma Mendonca, Major of
age, d/o late Caridade
Mendonca, all r/o Santarxette,
Aldona, Bardez, Goa.
 7. Mrs. Molina Albuquerque,
major of age, housewife,
 8. Mr. Caitaeno Rosario Bernard
Albuquerque, major of age,
service, Both r/o. H. No. B10,
Birmottem, Bastora, Bardez,
Goa.
 9. Mrs. Marina Dores Da Cunha,
major of age, service,
 10. Mr. Antonio Francisco Xavier
Da Cunha, major of age,
service, Both r/o H. No. 212,
Chriconduddi, Vasco-da-Gama,
Goa.
 11. Mr. Diago Anthony Ferandes,
major of age, service, House
No.1289, Deverem Next to
Auxilium Convent Carona,
Bardez-Goa.
 12. Mrs. Maggie Luiza
Mascarenhas, major of age,
housewife,
 13. Mr. Roque Francisco
Mascarenhas, major of age,
service, Both r/o Athaide
Residency, Above Eat and
Drinks, Porvorim, Bardez, Goa.
- Respondents.

Shri V. Amonkar, Advocate for the petitioners.

Shri M. B. D'Costa, Senior Advocate with Shri G. Naik, Advocate for the respondent nos.1 to 6.

CORAM : F.M. REIS, J.

DATE : 9th December, 2016

ORAL JUDGMENT

Heard Shri V. Amonkar, learned Counsel for the petitioners and Shri M. B. D'Costa, learned Senior Counsel for the respondent nos.1 to 6.

2. Rule.

3. Heard forthwith with the consent of the learned Counsel. The learned Counsel for the respondents waives service.

4. The learned Counsel appearing for the respective parties states that matter has been amicably settled and the parties have agreed to disposed off the petition.

5. The consent terms have been signed by the Power of Attorney holder of the petitioner as well as by the duly

constituted attorney of the respondents. The minutes of order are taken on record and marked "X" for identification. Both the learned Counsel appearing for the petitioners and the respondents have also signed the minutes of order. The learned Counsel state that petition be disposed off in terms of the said consent terms.

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

ORDER

- (i) The impugned order dated 27.4.2016 is quashed and set aside by consent.
- (ii) The petition stands disposed off in terms of the minutes of order marked "X" for identification
- (iii) The learned Judge is accordingly directed to dispose off the suit in terms of the minutes of order in accordance with law.
- (iv) Rule is made absolute in the above terms.

F.M. REIS, J.

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