

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

FIRST APPEAL NO. 89 OF 2015

SHRI. BIPINCHANDRA SHANTARAM  
KANTAK.,

... Appellant

Versus

SHRI. SUSHANT TULSHIDAS PATEKAR  
AND ANR.,

... Respondents

Mr. C. A. Coutinho, Advocate for the appellant.  
Mr. U. Shetye, Advocate for the respondents.

Coram:- F. M. REIS, J.

Date:- 22nd April, 2016

P.C.

Heard Mr. C. A. Coutinho, learned counsel appearing for the appellant and Mr. U. Shetye, learned counsel appearing for the respondents.

2. During the course of the hearing of the above appeal, both the learned counsel have pointed out that the dispute between the parties has been amicably settled and they have signed the consent terms. The learned counsel have also pointed out that all the parties to the above appeal have duly signed the consent terms and they admit the execution thereof. The parties who are present in Court have also accepted the consent terms as well as the execution of such terms. Both the learned counsel as such point out that the impugned judgment passed by the learned Trial Judge be modified and the suit

filed by the respondents be disposed of in terms of the consent terms.  
The consent terms are accepted and marked 'X' for identification.

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

O R D E R

(i) The appeal is partly allowed.

(ii) The impugned judgment and decree dated 11.05.2015 stands modified and the suit filed by the respondents is decreed in terms of the consent terms marked 'X' for identification.

(iii) Decree to be drawn accordingly.

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

F. M. REIS, J.

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