

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 200 OF 2017**

Mrs. Priya Prabhanjan Kinjawadekar,
38 years of age,
Wife of Prabhanjan A. Kinjawadekar,
R/o. H.No.63, Vithalpur,
Sanquelim-Goa.

... Petitioner

Versus

1. Authorized Officer,
The Goa State Co-op. Bank Ltd.
Sahakar Sankul, EDC Complex,
Patto Plaza, Head Quarter,
Panaji-Goa.
2. Mamlatdar of Bicholim,
Bicholim-Goa.
3. Circle Inspector – I,
Office of Mamlatdar of Bicholim,
Bicholim-Goa.

... Respondents

Shri A.D. Bhobe, Advocate for the Petitioner.
Shri S.R. Rivankar, Advocate for the Respondent No.1.
Ms. Priyanka Kamat, Additional Government Advocate for the
Respondents No.2 & 3.

**Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.**

Date:- 23rd February, 2017

ORAL JUDGMENT :

Heard learned Counsel for the respective parties.

2. Rule. Heard forthwith with the consent of the learned Counsel.

Learned Counsel appearing for the respondents waive service.

3. After hearing the matter for some time, both the learned Counsel have pointed out that the dispute raised in the above petition has been amicably resolved and both the parties have executed the Minutes of Order duly signed by the petitioner, the learned Advocate appearing for the petitioner as well as the respondent no.1 and his learned Advocate. It is further pointed out that the remaining respondents are only formal parties to the petition and no relief is sought against them. As such, the petition stands disposed off in terms of the Minutes of Order accepted and marked 'X' for identification. The petitioner as well as the respondent no.1 who are present in Court have duly accepted the contents of the Minutes of Order. The Minutes of Order read thus:

MINUTES OF ORDER

MAY IT PLEASE YOUR LORDSHIPS :

The Petitioner and the Respondent no.1 have amicably resolved the matter on the following terms:

- A. The total amount outstanding from the loan account which is subject matter of this present petition as on date is ₹7,22,328/- (Rupees Seven Lakhs Twenty Two Thousand Three Hundred & Twenty Eight only)
- B. The Petitioner shall deposit an amount of ₹1,00,000/- (Rupees One Lakh only) on or before 27th February 2017, with Goa State Co-operative Bank Ltd./Respondent No.1.
- C. The balance amount of ₹6,22,328/- with further interest

will be paid/deposited with the Goa State Co-operative Bank Ltd./Respondent No.1 on or before 31st May 2017.

D. The Respondent no.1/Bank shall close the loan account upon receipt of the above said amount and release the Mortgage.

E. Subject to the deposits to be made hereinabove, the Respondent no.1 will not take any coercive action and/or will not take any steps to take possession of the secured assets.

F. In the event of the amount referred to in clause (c) not being deposited on 31st May 2017, the Respondent no.1 will be free to proceed further in accordance with law.

G. The petition be disposed off on the above terms.

4. Hence, the petition stands disposed off in terms of the Minutes of Order marked 'X' for identification. Rule in the above terms.

NUTAN D. SARDESSAI, J.
NH

F. M. REIS, J.