

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.98 OF 2007

**Mr. Dominic Vaz
(Since deceased through legal heir)
Mrs. Selma Rodrigues ..Applicant
Versus
Mr. Jude Concessio ..Respondent**

**ALONGWITH
CIVIL APPLICATION NO.138 OF 2017
IN
CIVIL REVISION APPLICATION NO.98 OF 2007**

Mr. Jude Concessio ..Applicant

IN THE MATTER BETWEEN

**Mr. Dominic Vaz
(Since deceased through legal heir)
Mrs. Selma Rodrigues ..Applicant
Versus
Mr. Jude Concessio ..Respondent**

**Mrs. Bina Jariwala for the Applicant.
Shri. S. D. Mogre for the Respondent and for Applicant in Civil
Application No.138 of 2017.**

**CORAM : R. M. SAVANT, J.
DATE : 5th APRIL, 2017**

PC.

1 Not on board. Mentioned for filing of the Consent Terms.

2 The Learned Counsel for the parties. i.e. Mrs. Bina H. Jariwala for the Applicant/original Defendant and Shri. S. D. Mogre for

the Respondent/original Plaintiff tender Consent Terms bearing today's date i.e. 05.04.2017. The said Consent Terms have been signed by the Learned Counsel Shri. Hemang Jariwala whose signature Mrs. Bina H. Jariwala identifies and Shri. S. D. Mogre. The Consent Terms have also been signed by Shri. Vinod Dhanji Prajapati who has been authorized to do so by the Applicant Mrs. Selma Rodrigues vide authorization dated 28.02.2017 which she has sent to Shri. Vinod Dhanji Prajapati by courier in an envelope, at the address of the law firm of the Applicant. The Consent Terms have also been signed by the Respondent Mr. Jude Concessio. The Consent Terms evidence the settlement arrived at between the parties.

3 Both Shri. Vinod Dhanji Prajapati and Mr. Jud Concessio are personally present in Court. The Learned Counsel Mrs. Bina H. Jariwala identifies Shri. Vinod Dhanji Prajapati, he is also identified by his Aadhar Card No.9205 8766 5987, when put in the box and queried Shri. Vinod Dhanji Prajapati states that the authorization letter dated 28.02.2017 was sent by the Applicant Mrs. Selma Rodrigues who is in the U.S.A. by courier to the advocates for the Applicant 'Auroma Law' who have forwarded the said authorization letter to him. Shri. Vinod Dhanji Prajapati also identifies the signature on the said authorization as being that of the Applicant Mrs. Selma Rodrigues. He further states that he has

had a talk with Mrs. Selma Rodrigues on phone as regards the said Consent Terms and that Mrs. Selma Rodrigues is aware of the contents of the Consent Terms and that the same are acceptable to her. He states that he has signed the Consent Terms of his own free will and volition as per the authorization given to him by Mrs. Selma Rodrigues. The Learned Counsel Shri. S. D. Mogre identifies Mr. Jud Concessio. He is also identified by his Aadhar Card No.2323 5990 0962, when put in the box and queried he states that the signature on the Consent Terms is his. He further states that he has read the Consent Terms and that the same are acceptable to him and that he has signed them of his own free will and volition. The Consent Terms are paginated from 1 to 4 inclusive of the authorization letter dated 28.02.2017 and the envelope. On the envelope, the label of Dominic F. Rodrigues is affixed with his address mentioned as 1645 S. Melissa Way Anaheim, CA 92802. The Consent Terms are taken on record and marked as "X" for identification. The Civil Revision Application is disposed of in terms of the said Consent Terms.

4 In view of the disposal of the Civil Revision Application, the Civil Application does not survive and to accordingly stand disposed of as such.

[R.M.SAVANT, J]