

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO. 4817 OF 2000

Peter J. D'Souza	.. Plaintiff
Vs	
Dr. Conrad A. D'Souza & Ors.	.. Defendants

Mr. Vishal Kanade i/b Siganporia and Dalvi for the Plaintiff.
Mr. Peter J. D'Souza, plaintiff present in Court.
Mr. Clive D'Souza for Defendant Nos.1 to 4.
Dr. Conrad A. D'Souza, Defendant No.1 present in Court.

CORAM : K.R. SHRIRAM, J.
DATE : 23rd MARCH, 2017.

P.C.:

1. The parties have entered into an amicable settlement. The Consent Terms dated 23.03.2017 signed by the plaintiff, defendant No.1 and their respective Advocates is taken on record and marked '**X**' for identification. Order in terms of the Consent Terms. All undertakings are accepted. All settlements contained therein are also accepted as undertaking.

2. Mr. D'Souza tenders a compilation containing relinquishment by defendant Nos.2, 3 and 4 of all their rights in favour of defendant No.1. The same which is notarized, together with affidavit dated 22.03.2017 of defendant No.1 is taken on record and marked '**X-1**' for identification.

3. Mr. Kanade for the plaintiff, on instructions of the plaintiff who is present in the Court, states that he accepts this relinquishment and agrees that defendant Nos.2 to 4 have relinquished their rights to defendant No.1 whereby defendant No.1 becomes owner of 4/5 of the property and the plaintiff remains owner of the 1/5 of the property.

4. The Suit, accordingly, stands disposed.

5. Mr. D. G. Patwe, Associate of this Court is appointed as Commissioner to visit the suit premises so that the area to be handed over to the plaintiff can be demarcated suitably as per Annexure 'A' of the Consent Terms. The plaintiff to arrange for transportation of the Commissioner to the suit property. The parties, i.e., the plaintiff and defendant No.1 together shall pay a sum of Rs.5,000/- (Rs. 2500/- each) per day to the Commissioner for his visit.

6. The parties to act on an authenticated copy of this order.

[K. R. SHRIRAM, J.]