

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 813 OF 2016

Mr. S. B. Caculo,
Through Mr. Manoj S. B. Caculo and
Mr. Suraj S. B. Caculo
Panaji-Goa.

..... Petitioners

V e r s u s

Avery India Ltd.,

.....Respondent

Mr. Shivan Desai, Advocate for the Petitioners.

Mr. Rama Rivankar, Advocate for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 6th May, 2021

P.C.

Impugned in the present petition, is an order dated 28.07.2016 passed in Rent Appeal No. 9 of 2015 by the Appellate Board, North Goa, Panaji, whereby, the Respondent-tenant was permitted to deposit the rent amount under Section 18 of the Goa Daman and Diu Building (Lease, Rent and Eviction) Control Act, 1968.

2. The nature of dispute appears to be that of landlord and tenant.
3. The parties to the Petition have tendered the Consent Terms in the Registry on May 4th 2021, duly signed by authorised persons i.e. petitioner no. 1 and 2 for the Petitioners and their Advocate, whereas on behalf of Respondent-tenant, Ms. Kanchan Gambhir claiming to be Company Secretary, has signed the Consent Terms upon an authorisation from the Respondent-Company.
4. The learned Counsel for the Respondent has identified the said signatory Kanchan Gambhir to be the Company Secretary of the Respondent, and has also submitted that the said signatory has an authority to sign the Consent Terms.
5. The signatory for the Respondent has acknowledged the payment of amount of ₹ 30 lakhs towards full and final settlement of the landlord-tenant dispute and has further agreed to have surrendered the possession of the suit premises, in favour of the Petitioner no.2.
6. The Petitioner no.2 claims that the possession is already received after the amount of ₹ 30 lakhs as has been agreed, was made to the Respondent. The confirmation receipt depicting the payment of amount of

₹ 30 lakhs is also made part and parcel of the Consent Terms.

7. As such, the Petition stands disposed of in accordance with the Consent Terms presented to this Court on 04.05.2021.

NITIN W. SAMBRE, J.