

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

**SECOND APPEAL NO.8 OF 2020
WITH
CIVIL APPLICATION NO.24 OF 2020**

VISHWANATH PUNDALIK GAUDE. ... Appellant

Versus

SUSHMA SURESH

BANDODKAR @ VINDHA

VISHWANATH GAUDE. ... Respondent

Mr. Sagar Dhargalkar, Advocate for the Appellant.

Mr. A. D. Bhobe, Advocate for the Respondent.

CORAM: M. S. SONAK, J.

DATED : 23rd September 2022

P.C.:

1. The learned counsel for the parties hand in the terms of compromise arrived at before the National Lok Adalat. The terms read as follow:-

“ That Applicant and Respondent have amicably settled the present case on following terms and conditions:-

That Respondent shall pay to the Applicant in full and final a sum of Rs.7,50,000/- (Rupees Seven Lakh Fifty Thousand Only) at the time of signing present terms of compromise.

That Applicant undertake that upon payment of Rs.7,50,000/-, Applicant shall not contest the Divorce Suit/Appeal which is pending before Hon'ble High Court at Panjim.”

2. Mr. Dhargalkar states that the Appellant is present in the Court. Mr. Bhobe states that though intimation was given to the Respondent, she could not remain present today. Mr. Bhobe however states that he has instructions from the Respondent about compromise and he also has instructions to state that such compromise was entered into by the Respondent of her own free will and that she stands by the same.

3. Accordingly, this appeal is disposed of in terms of the compromise. As undertaken by the Respondent, she does not contest this appeal. The trial Court, in this case, had decreed the Appellant's suit but the First Appellate Court reversed the decree.

4. Accordingly, relying upon the compromise entered into by the parties, the decree of the First Appellate Court is hereby reversed and the decree of the trial Court is restored.

5. The appeal is disposed of in the above terms. Necessary decree to be drawn accordingly. There shall be no order for costs.

6. The Civil Application does not survive and the same is also disposed of.

M. S. SONAK, J.