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IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO.25 OF 2023

SATYAVAN PURSO NAIK AND 2 ORS ... APPELLANTS
Versus
CHANDRAKANT BHICARO NAIK AND ANR ... RESPONDENTS

Mr. Gaurish Agni with Mr. K. Kavlekar, Advocates for the Appellants.

Mr. P. Chodankar, Advocate for Respondent No. 1(i) & 1(ii).

CORAM:- VALMIKI SA MENEZES, J.

DATED :- 2nd November, 2023

ORAL ORDER:

1. Leave granted to the appellants to amend the cause title and add the names of Anjali Prabhakar Naik, Anupa Dattaprasad Naik, and Sampada Chandrakant Naik as respondent no. 1(iii), 1(iv), and 1(v), they being the daughters of the deceased respondent no. 1. Amendment to be carried out forthwith.

2. The parties to this second appeal, which arises from Regular Civil Suit No. 39/2003/A which was filed by the deceased respondent no. 1 Mr. Chandrakant Bhicaro Naik in the Court of Civil Judge Senior Division, 'A' Court at Ponda have arrived at the settlement to end the controversy in that suit.

3. They have produced before me terms of settlement in which they have recorded their consent and the manner in which the controversy would be properly put to an end between them. I have gone through the consent terms and I have found that they are firm and take into consideration the concerns of both the rival parties. I have confirmed with the parties, who have signed the consent terms, that they have entered into consent terms without any undue influence and free will of the parties.

4. In that view of the matter, the controversy between rival parties decreed by both the courts below, shall stand set aside and is substituted by the decree which will be passed in terms of the consent terms which are placed before me and are marked "X" for identification.

5. Second Appeal No. 28/2023 shall stand decreed in terms of the consent terms. Registry to draw a decree accordingly.

VALMIKI SA MENEZES, J.