

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.903/2019

PRAKASH METHIL.,

... Petitioner.

Versus

GKP CONSTRUCTION, REP. BY ITS
PARTNER, SHRIPAD ANKUSH
GAVANDALKAR.,

... Respondent.

Ms. Sailee R. Kenny, Advocate *for the Petitioner.*

Mr Ashwin D. Bhobe, with Ms Annelise Fernandes, Advocate *for the Respondents.*

CORAM : M. S. SONAK, J.

DATE : 20th July 2023

ORAL ORDER :

1. The learned Counsel for the parties hand in consent terms, which are taken on record and marked as “X” for the purposes of identification.
2. The consent terms have been signed by the Petitioner and Respondents No.1 and 2. Necessary power of attorney is also enclosed along with the consent terms.
3. The Petitioner and Respondents No.1 and 2 are present in the Court and they admit signing the consent terms after understanding their full scope and import. The Petitioner, who is present in the Court, admits that he is required to vacate the suit premises prior to 31/10/2025. He says that he will vacate the suit premises on or

before the said date. He also says that he will make necessary payments to the Respondents as set out in the consent terms.

4. Accordingly, the undertakings given by the Petitioner and the Respondents are accepted as undertakings to this Court. All the parties will have to act consistent with such undertakings.

5. The Petitioner and the Respondents have undertaken to withdraw Regular Civil Suit No. 278/2018/B and the Counter-claim filed therein. They have undertaken to this Court that a formal application will be filed within eight days. Both the parties will have to comply with these undertakings.

6. As is set out in Clause 4(e) of the consent terms, the Respondents will be entitled to withdraw the amounts referred to therein. Nazir of the Court of Civil Judge, Senior Division, Mapusa is, therefore, directed to pay the said amounts to the two Respondents in equal proportion.

7. The consent terms are not contrary to public policy and even signed by the parties after understanding their full scope and import. Accordingly, the consent terms are accepted and this Petition is disposed of in terms of the consent terms. The Suit and the Counter-claim must also be disposed of based on these consent terms.

8. The Petition is disposed of in the above terms, without any order for costs.

M. S. SONAK, J.