

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION NO. 21 OF 2020
IN
SECOND APPEAL NO.6 OF 2020**

ANTHONY VALES AND ANR.

... Applicants.

Versus

TIMOTIO VALES AND OTHERS.

.... Respondents.

**Mr Nigel Da Costa Frias, with Ms S. Nishad, Advocate for
the Applicants.**

Mr C.A. Coutinho, , Advocate for Respondents No. 1 & 2.

CORAM: M. S. SONAK, J.

DATED : 3rd FEBRUARY 2023

P.C.:-

1. The learned Counsel for the parties hand in Minutes of Order, which are taken on record and marked as “X” for identification. The learned Counsel for the parties agree that this Civil Application can be disposed of in terms of the Minutes of the Order.
2. Accordingly, the Minutes of Order are transcribed below for convenience of reference and the Civil Application is disposed of in terms of the Minutes of Order :

“MINUTES OF ORDER

- 1. The respondents shall see that all the pipelines coming out of the external wall of their toilet wall on the eastern side of their structure shall be connected directly to the septic tank /soak pit and no waters from the toilet shall be let out into the property on the eastern side.*
- 2. The respondent shall carry out water proofing on the eastern side of the respondent's wall i.e., the portion touching the common wall.*
- 3. The respondent shall install a channel to channelize the rain water on the roof of the eastern side of their house so that the water does not fall over the tiled roof of the appellants structure/house.*
- 4. The respondent shall fill in the cracks on the western side of the common wall i.e on the appellant's side of the wall.*
- 5. The respondents shall be entitled to complete the construction of their existing structure (ground floor) and shall not carry out any further construction until the final disposal of this appeal.*
- 6. This civil application may be disposed off as per these minutes.*

Place : Porvorim-Goa.

Sd/

Date : 03/02/2023

Advocate for the Appellants

Sd/-

Advocate for the Respondents"

- 3.** The Civil Application is disposed of.

M. S. SONAK, J.

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