



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL FROM ORDER NO.8 OF 2024

ELITERIO ANTHONY CARVALHO @
ANTONIO ELEUTERIO JOSE CARVALHO
(DEC.) AND 2 ORS

... APPELLANTS

Versus

VINAYAK ISHWAR KALIDAS @ VINAYAK
ISHWAR PUJARI AND 3 ORS

... RESPONDENTS

Mr. J.E. Coelho Pereira, Senior Advocate with Mr. V. Braganza and
Mr. Vilas Pavithran, Advocates for the Appellants.
Mr. Shivan Desai with Ms. M. Viegas, Advocates for the
Respondent.

Parties are present in person.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 4th December, 2024

P.C.:

1. Heard learned Counsel appearing for the Appellants and Respondent No.3.
2. Today the Consent Terms are filed duly signed by the Appellant and Respondent No.3 who is duly authorised by the Board Resolution dated 06/11/2024.
3. The Consent Terms would show that the Appellants as well as

Respondent No.3 have settled the dispute, inter se, in respect of the present appeal as well as special Civil Suit No.85/2020 pending before the learned trial Court.

4. The parties to the Consent Terms and more specifically the Appellants agreed with the suit filed before the trial Court should be decreed as per the terms and conditions whereas the suit against Defendant Nos.1, 2 and 4 shall be withdrawn.

5. It is disclosed by the parties that Defendant No.3 is the present purchaser whereas Defendant Nos.1 and 2 are claiming to be predecessors in the title of Defendant No.3. Defendant No.4 is the Director of Defendant No.3 a Company which the Appellants agree to delete.

6. On perusal of the Consent Terms, it is clear that the Appellants and Respondent No.3 settled the dispute and accordingly agreed to decree the suit in terms of such settlement. Both parties agree that the present appeal as well as the civil suit could be disposed of.

7. Accordingly, the Consent Terms are admitted and taken on record and marked 'X' for identification. The appeal pending before this Court stands disposed of in view of the Consent Terms.

8. Above Consent Terms shall be forwarded to the trial Court with

directions to dispose of the civil suit in terms of the said settlement as far as the Appellants and Respondent No.3 are concerned whereas the suit against Defendant Nos.1, 2 and 4 shall be allowed to be withdrawn.

9. The learned trial Court is therefore directed to pass suitable order in view of the Consent Terms and draw the decree accordingly.

10. The Registry to keep a copy of the Consent Terms in the present record and forward the original to the learned trial Court.

BHARAT P. DESHPANDE, J.