



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
FIRST APPEAL NO.102 OF 2018

HOSHIAR SINGH ARYA AND ANR., ... APPELLANTS
Versus
RAMESH K. MAYEKAR AND ANR., ... RESPONDENTS

Mr. Iftikhar Agha and Mr. K. Morajkar, Advocates for the Petitioner.

Mr. Aldrin Monteiro, Advocate for respondent no.2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 17th December, 2024

P.C.:

1. The parties have placed on record Consent Terms executed by them today. The parties are present in the Court and have acknowledged their signatures affixed on the Consent Terms and admit the contents of the Consent Terms. The parties also agreed that they have understood the contents of the terms and have affixed their signatures without coercion and of their free will.

2. The Demand Drafts bearing nos. 524179 and 524180 dated 13/11/2024 have been received by the Appellant Nos.1 and 2 respectively in the Court; these amounts constitute the consideration in the Consent Terms as stated in paragraphs 5a to 5c.

3. I have perused the contents of the Consent Terms which appear to be fair to the parties to the proceedings.
4. First Appeal shall stand decreed in terms of the Consent Terms filed today. Consent Terms are marked 'X' for identification. A decree shall be drawn up in terms of these Consent Terms by the Registry of this Court.
5. As a consequence of decree passed in this Court; the connected Special Civil Suit No.29/2017/C/A pending before the Civil Judge Senior Division, Mapusa have to be disposed of in terms of the contents of this decree. In view of the fact that the Appellants herein /defendants in the above mentioned suit having made express declaration that the suit property is free from all encumbrances and that they have no subsisting claim on the same, suit would have to be disposed of in terms of the statements made in this Court's decree /Consent Terms. The learned Civil Judge Senior Division to dispose of the suit as soon as possible within three weeks from today. Registry is directed to issue Certified Copy to the parties on urgent basis to place the same before the concerned Court.
6. First Appeal stands disposed of accordingly.

VALMIKI MENEZES, J.