



Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1125 OF 2017

CHANDRKANTA PURUSHOTTAM SHET
PARKAR AND 2 ORS.

... PETITIONERS

Versus

SURESH SURYAJI DESURKAR (DEC.)
THR. HIS LRS AND ANR.

... RESPONDENTS

Mr Parikshit Sawant, Advocate for the Petitioners.

Mr Omkar V. Kulkarni, Advocate for Respondents No.1(iv) to
1(x).

CORAM:- VALMIKI MENEZES, J.

DATED:- 2nd December, 2024.

ORAL ORDER:

Parties have come to certain Consent Terms which are placed
on record and marked 'X' for identification.

2. By the Consent Terms the petitioners who are the landlords in
an Eviction Case No.Bldg.Case No.18/91 under the Goa Buildings
(Lease, Rent & Eviction) Control Act, 1968 bearing No. Rent
Appeal No.3/2013 have in consideration of the respondents, who

had claimed tenancy with respect to the suit premises, surrendering their claim of tenancy, paid consideration of ₹13,50,000/- (Rupees Thirteen Lakhs, Fifty thousand only) by way of Demand Draft bearing No.566735 dated 30.11.2024. The Consent Terms further record that on the amount under the Demand Draft realising, and by 6th December, 2024, the respondents shall hand over vacant possession of the suit premises/property which is under Survey No.152/1-B at Durgabhat, Ponda, Goa shall be surrendered to the petitioners. All the parties to the Consent Terms are present in the Court and have ascertained that they have signed the Consent Terms of their freewill and without any coercion. The petitioners are represented by their attorney-petitioner No.2 Subhash Purushottam Shet Parkar in whose favour the power of attorney has been executed on 25.05.2021 by the remaining petitioners. The power of attorney sufficiently empowers, under clause 5 thereof the petitioner no.2 to settle the matter and arrive at Consent Terms.

3. On examining the contents of the Consent Terms there does not appear to be anything which is unfair or in any manner illegal. The Consent Terms are accepted and the petition is disposed of in terms of the Consent Terms. It is made clear that on the Demand Draft which is the consideration for the surrender of the premises/property being realised, the respondents who are present in the Court undertake to this Court to hand over vacant possession of the property in question.

4. The petition stands disposed of in the above terms.

VALMIKI MENEZES, J.