



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

**SECOND APPEAL NO.31 OF 2024
WITH
CIVIL APPLICATION NO.58 OF 2024**

SECOND APPEAL NO.31 OF 2024

JYOTSNA METHA REP. BY HER SON AND
DULY CONSTITUTED ATTORNEY POA
DEVANG METHA AND ANR

... APPELLANTS

Versus

ALEX DSOUZA AND 3 OTHERS

... RESPONDENTS

**WITH
CIVIL APPLICATION NO.58 OF 2024**

JYOTSNA METHA REP. BY HER SON AND
CONSTITUTED ATTORNEY DEVANG METHA
AND ANR.

... APPLICANTS

Versus

ALEX DSOUZA AND 3 ORS

... RESPONDENTS

Mr. Sudin Usgaonkar, Senior Advocate with Ms. Tanisha Mashelkar,
Advocate for the Appellants.

Mr. Jatin Ramaiya, Advocate with Mr. Omkar Thakur, Advocate for
Respondent No. 1.

Mr. Gaurang Panandikar, Advocate for Respondent No. 2.

CORAM:- BHARATI DANGRE, J.

DATED :- 25th April, 2025

P. C.

1. The Appellant nos. 1 and 2 have amicably settled the dispute with
Respondent no. 1 and Consent Terms under the signature are placed
before the Court.

The Consent Terms are signed by the Appellant No. 2 for himself

as well as the Power of Attorney Holder for Appellant No. 1, his mother. On behalf of the Respondent No.1, the Consent Terms are signed by the Power of Attorney Holder.

The Consent Terms also bear the signature of the Advocates for the Appellants as well as Respondent no. 1. As far as Respondent no. 2 is concerned, who is a developer, in the wake of settlement of dispute between the Appellant and the Respondent No. 1, the Counsel has accorded No Objection to the same.

The Consent Terms are taken on record and marked 'X' for identification.

2. The Consent Terms placed before me record that on an amicable settlement being arrived between the parties, a Deed of Transfer is registered in the office of the Sub-Registrar at Mormugao on 03.03.2025 in favour of Respondent No. 1 in respect of shop bearing no. 15 situated on the ground floor in Commercial Complex known as "85 Mehta House". The Respondent No. 1 confirmed about the said document being registered and stake no claim in that regard.

3. The Consent Terms also record that the Appellants had deposited an amount of Rs. 7 Lakhs before the Civil Judge, Junior Division and JMFC 'C' Court at Vasco da Gama in the Execution Application.

As a part of the settlement, the Appellants have agreed to pay an amount of Rs. 5 Lakhs along with interest accrued thereon in proportionate to the amount of Rs. 5 Lakhs and this amount shall be permitted to be withdrawn by Respondent No. 1 to which the Appellants have accorded their No Objection.

The balance amount of Rs. 2 Lakhs along with interest accrued in proportionate shall be permitted to be withdrawn by the Appellants and the Respondent No. 1 shall accord No Objection to this withdrawal.

4. In the wake of the aforesaid, a complete settlement has been worked out between the parties and, therefore, the Consent Terms specifically pray for disposal of the Second Appeal.

5. Accepting the Consent Terms on record, the Second Appeal is decreed in terms of the Consent Terms. It is undertaken by the parties that the terms of the 'Consent Terms' shall be strictly abided.

Decree is directed to be drawn accordingly.

6. Pending Civil Application, stand disposed of.

BHARATI DANGRE, J.