



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.480 OF 2024

DEEPAK GANAPATI GAONKAR ... PETITIONER
Versus
JOAO PEDRO MASCARENHAS AND 6 ORS ... RESPONDENTS

Ms. Saicha Dessai, Advocate for the Petitioner.

Mr. Rama Rivankar, Advocate for Respondent Nos. 1 to 5.

CORAM:- VALMIKI MENEZES, J.

DATED :- 1st December, 2025

ORAL ORDER:

1. These proceedings arise from Regular Civil Suit No.81/2023/B pending before the Court of the Civil Judge Junior Division at Ponda. The Petitioner is the original Plaintiff in this suit, while the Respondents No.1 to 7 are the original Defendants therein. The parties have arrived at an amicable settlement of their disputes in the suit and have today presented Consent Terms, signed by them. The parties are present in Court, and their respective Advocates have identified their signatures on the Terms. The parties have also agreed that they have signed the Terms without any coercion and on their own free will.

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

2. According to the Consent Terms, instead of the access shown from A to B in green, as claimed in the suit, access X to Y will now be used by the Respondents No.1 to 5, who are the original Defendants in the suit. On going through the Consent Terms, it is further stated by the parties that the cost of surfacing the access from X to Y, which is for the use of the Defendants No.1 to 5, would be borne by the Respondents No.1 to 5, i.e. original Defendants in the suit.

3. The contents of the Consent Terms appear to be fair to the parties. Consequently, the present Petition shall stand disposed of in terms of the Consent Terms.

4. According to Clause 9 of the Consent Terms, the Petitioner (original Plaintiff) is required to withdraw Regular Civil Suit No.81/2023/B as a condition for the Consent Terms to operate. Considering that the suit has now been listed before the trial Court on 20.01.2026, the parties shall circulate the Consent Terms before the Trial Court on 05.12.2025 at 02:30PM along with a copy of this Order, with a request to the trial Court to allow the Plaintiff to withdraw the suit, considering that the Terms shall now operate between the parties.

5. The trial Court is requested to pass orders on the application for withdrawal on the same day, as far as possible, and dispose of the suit.

VALMIKI MENEZES, J.