Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO.21/2026
IN
FIRST APPEAL NO.38/2012

THE GOA HOUSING BOARD
REP. THROUGH ITS CHAIRMAN /
BOARD OF DIRECTORS … APPLICANT

Versus

VISHWAS VITHOBA
KANKONKAR AND 2 ORS. … RESPONDENTS

Mr H. D. Naik, Advocate for the Applicant.

Mr Sudesh Usgaonkar, Senior Advocate with Ms Marie Rosette Pereira, Advocate for the Respondent No.1.

Mr S. P. Munj, Additional Government Advocate for the Respondent State.

CORAM: VALMIKI MENEZES, J.

DATED: 1st OCTOBER 2026

P.C. :

1. Consent Terms signed by the parties and their respective Advocates, which are dated 01.10.2026, are placed on record. The Consent Terms are marked '**Y**' for identification. The parties have signed the same before the Registrar (Judicial) of this Court and are present in the Court today. The Applicant – Goa Housing Board, whose Managing Director Ms Siddhi Halarnkar is present in the Court, admitted the execution of these Consent Terms and the fact that they are executed by the Goa Housing Board under Resolution dated 01.07.2026 passed by the Board.

2. The Respondent Vishwas Vithoba Kankonkar, who is the original Plaintiff in Civil Suit No.45/2009 and Respondent in First Appeal No.38/2012, is also present and has admitted signing these terms. All parties record that the terms are signed and executed of their free-will and without any undue influence/ coercion.

3. After considering the entire history of the matter, which is incidentally recorded in paragraphs 1 to 9 of the Consent Terms, I am of the opinion that the Consent Terms are fair to all the parties.

4. The circumstances under which these Consent Terms are filed in a Civil Review Application are also stated in the Consent Terms and recorded in the order of 18.06.2026 of this Court. These Consent Terms which constitute a decree between the parties, are executed in the original civil proceedings i.e. Civil Suit No.45/2009.

5. The plan referred to in the Consent Terms, which has received Provisional Approval of the Town and Country Planning Department, South Goa at Margao and has now received approval/development permission from the Cuncolim Municipal Council on 10.09.2026 is part of the record of the Review Application and was marked '**X**' by this Court on 18.06.2026 and is on the file. The plot in question is depicted in Red on the said plan for identification and the said plan produced on the file of

the Review Application and shall be treated as an integral part of the Consent Terms.

6. In view of the statement made in paragraph 11 of the Consent Terms, Respondent Nos.2 and 3 shall stand dropped/deleted. Amendment to the cause title shall be carried out forthwith.

7. The Review Application is disposed and a fresh decree shall be drawn up by the Appellate Court i.e. this Court, in First Appeal No.38/2012 in terms of the above "Consent Terms".

8. Registry to act in terms of this order and draw a fresh decree which shall be in substitution of Decree dated 10.11.2023.

VALMIKI MENEZES, J.

Signed by: SUCHITRA NANDAN SINGBAL
Designation: Personal Assistant
Date: 03/10/2026 14:53:40