



IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.145 OF 2026

1. M/s. Goan Real Estate and Construction Pvt. Ltd., a Company registered under Companies Act 1956, having its registered office at Aldeia De Goa, P.O. Goa University, North Goa, Goa. Represented thr. Its Authorised Representative B.K. Satish, s/o. Mr. Krishna V. Bhat, aged 46 years, having office at Aldeia De Goa, PO Goa University, North Goa.

.....Petitioner.

Versus

1. Shri. Guno Krishna Gauns, son of late Krishna Gauns, age 76 years, Indian National, r/o. House No.240/5, Zari Bhat, Near Bambolim Beach Resort, Bambolim-Goa.

(Deceased)Amendment carried out at page no.3(a) & 3(b) as per Order dated 18.02.2026 passed in MCA/492/2026(F).

A. Mrs Lata Pandurang Gawade, wife of Pandurang Kashinath Gawade, major of age, married, Indian national, housewife, and her husband;

B. Mr Pandurang Kashinath Gawade, son of Kashinath Gawade, married, major of age, Indian National, Service, both residents of C/o. Mr. Vaibhav Palyekar, Opp. Vitoba Temple, Durgawade, Taleigao, Goa-403 107;

Correction carried out in view of Order dated 07.03.2026.

Sd/-.
P.A.

- C. Mrs Jeevan Gaude, wife of Suresh S. Gaude, married, major of age, Indian National, housewife, and her husband;
- D. Mr Suresh S. Gaude, son of S. Gaude, major of age, Service, married, Indian National, both residents of House No.83, Rassaim-Loutolim, Salcete, Goa - 403 718;
- E. Mrs. Shradha S. Mayekar, widow of Mr. Sadanand Fondu Mayekar, Indian National, employed, major of age, Resident of House No.219, Pilar Waddo, Goa Velha, Tiswadi, Goa – 403108 and her daughter;
- E.i.Ms. Shanvi Sadanand Mayekar, minor, aged 15 years, resident of House No.219, Pilar Waddo, Goa Velha, Tiswadi, Goa-403 108; represented by her duly appointed guardian, her mother, Shradha S. Mayekar (Respondent No.1E), vide Order dated 18/02/2026 in MCA.492/2026(F).
- F. Shri Rahul Gauns, [Respondent No.4], son of Guno Krishna Gauns, age 37 years, Indian National, and his wife;
- G. Mrs. Sradda Rahul Gawas, wife of Mr. Rahul Guno Gawas, major of age, working, Indian National, married, both r/o. House No.240/5, Zari Bhat, Near

Correction
carried out in
view of Order
dated 07.03.2026.

Sd/-.
P.A.

Correction
carried out in
view of Order
dated 07.03.2026.

Sd/-.
P.A.

Bambolim Beach Resort,
Bambolim-Goa, 403 206.
H. Ms. Pushpa Guno Gawas,
daughter of Guno Krishna Gauns,
major of age, spinster unmarried,
Indian National, resident of House
No.240/5, Near Beach Resort,
Bambolim, Tiswadi, Goa-403 206;
I. Mr. Rohit Guno Gawas, son of
Guno Krishna Gauns, major of
age, bachelor, resident of House
No.240/5, Near Beach Resort,
Bambolim, Tiswadi, Goa.

2. Smt. Lakshimi Guno Gauns, D/o.
Late Lumo Kholkar, wife of Guno
Krishna Gauns, age 72 years, Indian
National, r/o. House No.240/5,
Zari Bhat, Near Bambolim Beach
Resort, Bambolim-Goa.
3. Shri. Tulsidas Gauns, son of Guno
Krishna Gauns, age 42 years, Indian
National, r/o. House No.240/5, Zari
Bhat, Near Bambolim Beach Resort,
Bambolim-Goa.
4. Shri Rahul Gauns, son of Guno
Krishna Gauns, age 37 years, Indian
National, r/o. House No.240/5, Zari
Bhat, Near Bambolim Beach Resort,
Bambolim-Goa.

...Respondents.

Mr. Jitendra P. Supekar, Advocate for the Petitioner.

Mr. Vineet Surlakar, Advocate for the Respondents.

CORAM: VALMIKI MENEZES, J.

DATED: 25th FEBRUARY, 2026.

ORAL JUDGMENT:

1. Registry to waive office objections and register the matter.
2. Rule. Rule is made returnable forthwith with the consent of learned Counsel for the parties.
4. The parties to this Petition have today filed Consent Terms by which they have settled their disputes, which are pending adjudication in a Proceeding under Section 3 of the Mamlatdar's Court Act, 1966, before the Joint Mamlatdar of Tiswadi in Case No. MCA/JM-I/Bamb/1/2009. That case pertains to a claim of right of way/easement that the present Respondent/original complainant before the Mamlatdar claimed as access from the Bambolim-Siridao road through their land under Survey No.102/4 and across the land claimed by the Petitioner under Survey No.101/3 of Village Bambolim.
5. All the parties are present today and have accepted having executed the Consent Terms by affixing their signatures on the same. The parties have been identified by the production of their Aadhaar cards which are annexed to the Consent Terms.

6. I have perused the Consent Terms, and in substance, the Petitioner has agreed to provide 3 metre motorable access along the alignment shown in red lines on the Plan, Annexure A to the Consent Terms, which is parallel to 6 metre wide proposed road that the Petitioner would be constructing. The access now provided to the Respondents, as agreed by them, passes through the Petitioner's land under Survey No.101/1 and Survey No.101/3 belonging to the Petitioner. The Consent Terms arrived at between the parties appear to be fair and subserve the interests of both the contesting factions. The Consent Terms are taken on record and marked 'X' for identification. The Consent Terms consist of 28 pages, the last of which is Annexure 'A', the Plan that depicts access to be provided to the Respondents.

7. Accordingly, this Writ Petition shall stand disposed of in terms of the Consent Terms. The parties shall place a certified copy of these Consent Terms along with this Order before the Joint Mamlatdar of Tiswadi in case No. MCA/JM-I/Bamb/1/2009, who shall dispose of the said case on receipt of the certified copy of the Consent Terms and this Order.

The Mamlatdar-I shall dispose of the case by passing an Order in terms of the Consent Terms and declaring the access as shown in the Plan annexed at 'A' as the one for the use of the Respondents.

8. The Joint Mamlatdar of Tiswadi to act on an authenticated copy and a certified copy of this Order within two weeks from the receipt of this Order.

9. Rule is made absolute in the above terms.

VALMIKI MENEZES, J.

[Correction carried out in view of Order dated 07.03.2026.].