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**IN THE HIGH COURT OF BOMBAY AT GOA**

**APPEAL FROM ORDER NO.11 OF 2025  
WITH  
CIVIL APPLICATION NO.41 OF 2026**

**APPEAL FROM ORDER NO.11 OF 2025**

WENCESLAUS FERNANDES AND ANR ... APPELLANTS

Versus

DIAGO JOAO DSOUZA AND ANR ... RESPONDENTS

**WITH**

**CIVIL APPLICATION NO.41 OF 2026**

**IN**

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WENCESLAUS FERNANDES AND ANR ... APPLICANTS

Versus

DIAGO JOAO DSOUZA AND ANR ... RESPONDENTS

Mr. Nigel Da Costa Frias with Mr. Shane Coutinho, Advocates  
for the Appellants.

Ms. Amira Razaq, Advocate for the Respondents.

**CORAM:- VALMIKI MENEZES, J.**

**DATED :- 30th April, 2026**

**P.C.:**

1. The parties are present in the Court today and have filed before me the Consent Terms duly signed by them and their respective Advocates. The Consent Terms are marked 'X' for identification.

2. Broadly, according to the Consent Terms, Appellants have agreed to transfer the suit property under Plot Nos. 5 and 8 together, admeasuring 450 sq. mtrs., along with the house existing thereon

which bears House No. 657/3 to Respondent Nos. 1 and 2 for total consideration of Rs. 60,76,000/-. The Appellants have received all payments from Respondent Nos. 1 and 2 in accordance with the Consent Terms. The Sale Deed has been executed by the parties and they are now awaiting the No Objection of the Town Planner under Section 49 (6) of Goa Town and Country Planning Act, 1974. The Town Planner, Tiswadi, may expedite the grant of approval to the Sale Deed to enable the parties to complete the settlement of the suit.

3. The Consent Terms require that the Sale Deed be registered by 30.05.2026. The Sale Deed will be uploaded on the portal of NGDRS and the Sub Registrar, Tiswadi, is requested to complete the registration of the Sale Deed by the aforementioned date, since the present Consent Terms would result in decreeing of the Civil Suit before that date.

4. I have examined the Consent Terms which appear to be fair and in the best interest of the parties. The parties are present today and have identified their signatures on the Consent Terms and stated before me that they have accepted these terms and have acted upon them. Consequently, Consent Terms have been taken on record, with a view to have Special Civil Suit No. 31/2018/B, pending before the Civil Judge Senior Division at Mercas, disposed of in view of these terms.

5. Consequently, the present Appeal stands disposed of in terms of the Consent Terms and Civil Court dealing with Special Civil Suit No. 31/2018/B shall take on record certified copy of these terms and shall decree the suit in those terms. The Decree shall be passed as far as possible by 15.05.2026. The Registry of this Court is requested to furnish the urgent certified copy of these Consent Terms and of the order to enable the parties to produce the same before the Executing Court.

6. Consequently, in view of the Consent Terms, Execution Proceeding No. 2/2023, pending before the 'B' Court at Merces shall stand disposed of. The Civil Judge Senior Division dealing with this Execution Proceeding shall so record in the Execution Proceeding. The Appeal from Order stands disposed of.

7. In view of disposal of Appeal from Order No. 11/2025, Civil Application No. 1081/2024(F) also stands disposed of.

**VALMIKI MENEZES, J.**