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IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL REVISION APPLICATION NO.1 OF 2025

MEHRAJ AHMED

... APPLICANT

Versus

AJAY KUMAR SHETTY

... RESPONDENT

Mr. Prashil Arolkar, Advocate for the Applicant.

Mr. V. A. Lawande with Mr. Parimal Redkar and Ms. Smita Gawas, Advocates for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 24th April, 2026

P.C.:

1. The parties have filed the Consent Terms before me. The same are taken on record and marked 'X' for identification. By these Consent Terms, the Applicant, who was the original Defendant in Special Civil Suit No. 55/2016/II, before the Adhoc Civil Judge Senior Division, II and Additional at Margao has agreed to purchase the suit apartment bearing Flat No. BS-13 at Aquem, Margao for a total consideration of Rs. 43, 00,000/-. Since the Applicant had paid to the original Plaintiff an amount of Rs.6,00,000/-, he has agreed to pay the balance amount of Rs. 37,00,000/- within a period of two months, on which event, the Sale Deed will be executed by the Respondent/original Plaintiff in the suit in his favour. Apart from these terms, the Consent Terms also

record that the Applicant/original Defendant shall obtain from the developer of the land and the original owners of land their consent to sign the Sale Deed, and alternatively, the parties would sign the Deed of Assignment of the rights of the original Plaintiff in favour of the Defendant. The parties have also agreed that these Consent Terms would operate as a Decree between them, and shall not constitute a separate agreement for which the Defendant would otherwise be entitled to specific performance. The Consent Terms also record that if there is any default on the part of the original Defendant/Applicant herein, in making payment on this part of the contract, the original Decree passed by the Court, which is the subject matter of challenge in this Revision Petition, shall be accepted as final and binding on the Applicant/Defendant. The Consent Terms also record that all fees towards execution of the Deed of Sale or Assignment, as the case may be, with other expenses towards stamp duty and registration charges shall be borne by the Applicant/original Defendant.

2. The Consent Terms appear to be fair. The Applicant/original Defendant Mr. Mehraj Ahmed, is present in the Court and has identified his signature on the Consent Terms and has stated that he has executed these terms without any coercion or influence. The Consent Terms are also signed by the learned Advocate for the Applicant and the learned Advocate for the Respondent. Learned Advocate for the Respondent submits that the Respondent/original Plaintiff is presently in Bangalore, and has authorised the learned

Advocate appearing for him to sign the Consent Terms on his behalf. The Plaintiff would sign the Consent Terms by 30.04.2026, when this matter would be placed on the Board. The Decree shall be drawn as per the Consent Terms which are accepted by the parties. The Respondent is permitted to sign the Consent Terms by 30.04.2026. The matter shall stand disposed of in these terms.

3. List the matter on 30.04.2026.

VALMIKI MENEZES, J.