

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO.142 OF 2017

JOAO CAMILO ALMEIDA @ JOHN
CAMILO ALMEIDA AND ANR. ... APPELLANTS

Versus

THE STATE GOVERNMENT OF
GOA REP. BY ITS CHIEF ... RESPONDENTS
SECRETARY AND 15 ORS.

Mr Abhay Nachinolkar with Mr Siddhant Kamat Dhakankar,
Advocates for the Appellants.

Mr A. Talaulikar, AGA *for Respondents No.1 and 11.*

Mr Vivek Rodrigues (through VC) with Kevin Braganza, Advocates
for Respondents No.15 and 16.

**CORAM: M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATE: 5th MARCH 2024

P.C.:

1. Heard Mr Abhay Nachinolkar for the appellants, Mr A. Talaulikar, learned AGA for respondents no.1 to 11 and Mr Kevin Braganza for respondents no.15 and 16.
2. At the outset Mr Nachinolkar and Mr Braganza state that the contesting parties i.e. the appellants and respondents no.13 to 16 have settled their disputes amicably and are filing consent terms. They submit that respondents no.1 to 11 were formal parties and therefore, leave may be

granted to delete them from the array of respondents in this appeal. They also point out that respondent no.1 has expired and her estate has devolved on the appellants and respondents no.13 to 16.

3. At the request of Mr Nachinolkar and Mr Braganza, leave is granted for deletion of respondents no.1 to 11 from the array of respondents in this appeal. Necessary amendment to be carried out forthwith.

4. Mr Nachinolkar and Mr Braganza hand in consent terms which are taken on record and marked as 'X' for the purpose of identification.

5. The above consent terms are signed by the two appellants who are today present in the Court. They say that they have signed these terms after understanding their full scope and import.

6. The consent terms have also been signed by respondents no.13 and 14. Respondent no.15 has also signed the consent terms for self and as Power of Attorney for respondent no.16. Respondents no.13, 14 and 15 are present in the Court and they say that they have signed these terms after understanding their full scope and import.

7. Advocates for the appellants and respondents no.13 to 16 have also signed these consent terms to identify the parties.

8. We have perused the consent terms and we find nothing therein to be said as opposed to the public policy. Accordingly, there can be no difficulty in accepting these consent terms and disposing of the First Appeal No.142/2017 based thereon.

9. The consent terms are accepted. Based upon the consent terms, First Appeal No.142/2017 is disposed of. There shall be a decree in terms of the

consent terms. The statements/undertakings given by the parties are accepted as undertakings given to this Court.

10. As set out in paragraph 6 of the consent terms, the impugned order dated 27.11.2017 made by the District Judge-1, South Goa, Margao (below Exh.22, 25 and 34) in Civil Suit No.1/2017 is set aside and Civil Suit No.1/2017 before the District Judge-1, South Goa, Margao is also disposed of in terms of the settlement which is recorded in these consent terms.

11. The appeal is disposed of in the above terms without any order for costs.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.