Superintendent

IN THE COURT OF THE DISTRICT JUDGE-2, SOUTH GOA, MARGAO.

Civil Suit No. 1/2020/II

Shri Deo Mahadeo Devastan,
Devasthan governed under the Devasthan
Regulation Act, Having its office at
Mahadev Temple at Deulsai, Cacora,
Curchorem, Quepem, Goa,
through its Attorney,
Shri Rajendra Pandhari Sawant Dessal,
Resident of House No.2235,
Madhegal, Cacoda, Quepem, Goa. ... Plaintiff

Versus

1. The State of Goa,
   Through its Chief Secretary,
   Secretariat, Porvorim, Goa.

2. The Office of Dy. Town Planner,
   Town and Country Planning Officer,
   Quepem, Goa.

3. Curchorem Cacora Municipal Council,
   A Municipal Council established
   and incorporated under the Goa
   Municipalities Act, 1968,
   Curchorem, Goa.

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4. The Chief Officer,
   Curchorem Cacora Municipal
   Council, Curchorem, Goa.

5. Mr. Irfan M. Shaikh,
   Son of Mutalib Shaikh,
   Aged 50 years, business,
   Married, Indian National,
   Resident of Shaikh Mansion,
   Pontemol Road, Cada Hall,
   Curchorem, Goa.

..... Defendants

Typed by: UDC

Compared by: UDC

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IN THE COURT OF DISTRICT JUDGE-2 SOUTH-GOA
AT MARGAO-GOA

Civil Suit No. 1/2020/DJ-II

Shree Deo Mahadeo Devasthan ... Plaintiff.

V/s

The state of Goa & others ... Defendants.

Application for withdrawing the present suit.

MAY IT PLEASE YOUR HONOUR.

The Plaintiff in the above matter states and submits as under:-

1) That the plaintiff & Def. No.5 have amicably settled the present suit outside the court.

2) In view of the said settlement the plaintiff & Def. No.5 have entered into consent terms. (Copy enclosed)

3) In the above circumstances the Plaintiff most respectfully prays that Plaintiff may be permitted to withdraw the present suit.

Place: Margao-Goa.
Date: 18/11/2021

(V.R. Kudnekar Adv. for Plaintiff)

No objection for withdrawal of the suit
Adv. for def 5
18/11/2021

(Attorney of Plaintiff)
(Shri. Rajendra P. Sawant Desai)

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CS/01/2020

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The plaintiff is permitted to withdraw the suit. Consequently, the suit is disposed off as withdrawn.

Sd/-
18/11/2021
DJ-I-Addl.-S.J.
Margao.

Compared with the original

YM
LDC

KUDCHADKAR
GOVT. OF GOA
COURT OF PRINCIPAL

Superintendent

IN THE COURT OF DISTRICT JUDGE SOUTH GOA AT MARGAO

Civil Suit No.1/2020/II

Shri Deo Mahadeo Devastan ..... Plaintiff

V/s

1.The State of Goa and others ..... Defendants

MAY IT PLEASE YOUR HONOUR

The plaintiff has filed the accompanying civil suit against the defendants seeking reliefs in the nature of decleration, permanent injunction and mandatory injunction. It is the case of the plaintiff that survey No. 448/11 of village Cacora taluka Quepem belonging to defendant No. 5 has no direct access as towards the east survey No.448/11 is bounded by survey No. 448/8 of village Cacora of Quepem Taluka. Therefore the development permissions are obtained by defendant No. 5 by misrepresenting the defendant No. 2,3 and 4 and therefore the said development permission are void ab initio.

The plaintiff and the defendant No.5 have amicably settled the present matter on the following consent terms:-

CONSENT TERMS

1.The plaintiff admits that the plaintiff and or their mahajans/ office bearers shall not claim any right to the piece of land i.e. by surveyed under survey No. 448/8 of village Cacora of Quepem Taluka, existing between the property of Defendant No.5 surveyed under survey No. 448/11 of village Cacora of Quepem Taluka and the eastern side Curchorem -Tilamol tar road and the defendant No. 5 shall enjoy the same exclusively

as its owner and free to use the same as access or for any other purpose.

2. The defendant No. 5 towards the full and final settlement has paid to the plaintiff an amount of Rs. 8,00,000/- (Rupees Eight Lakhs Only) by demand draft bearing No. 000817 drawn on Bank of India, Dated 12/11/2021 in the name of **SHREE MAHADEV SAUNSTHAN.** The plaintiff hereby admit and acknowledge the receipt of the same.

3. The plaintiff admit that the plaintiff shall withdrew all the complaints filed against the defendant No. 5 before various authorities and also undertakes not to file any further complaints or objections against the defendant No. 5 in respect of the building constructed by the defendant No.5 in the property surveyed under survey No. 448/11 of village Cacora of Quepem Taluka so also in any manner interfere with the property of the defendant No. 5.

4. That the defendant No. 5 and their agents/ bonafied purchasers are free to use the said area i.e. the property surveyed under survey No. 448/8 of village Cacora of Quepem Taluka, existing between the property of Defendant No.5 surveyed under survey No. 448/11 of village Cacora of Quepem Taluka and the eastern side tar road proceeding from Curchorem to Tilamol, forever and the plaintiff shall not interfere in any manner with the said piece of land and shall not claim any right to the same.

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5. The attorney of the plaintiff is authorized to sign the above mentioned consent terms vide resolution dated 14/11/2021. (Resolution Page no: 113 to 115) Page No, 113 to 116

6. The present suit be accordingly decreed as per the consent terms aforesaid.

Place :- Curchorem

Date :- 16/11/2021

The Plaintiff

(Through Attorney)

(Rajendra P. Sawant)

The defendant No.5

(Shaikh M. Irfan)

Adv. For the Plaintiff

Adv. For the defendant No. 5

NOTARIAL NOTARIAL

Executed before me which I Attest

Uday G. Kudchadkar
NOTARY
Reg. No. 8/98
Curchorem Cacora
Vol. No. 5564 Date 16-11-2021

16/11/2021

NOTARIAL NOTARIAL

Compared with the original YM/UDC.

CERTIFIED COPY

Reg. No. 726/2021 | U. No. 204/2021
Date on which copy applied for 18/11/2021
Date on which application completed 18/11/2021
Date given for taking delivery 20/11/2021
Date on which copy was ready 20/11/2021
Date on which copy delivered 22/11/2021
Copying fee Rs. 419/-
Comparing fee Rs.
Paper charges Rs.
Total Rs.
Paid under Receipt No. 41794 dt. 18/11/2021 & 41794 dt. 22/11/2021
Affixed Court fee of Rs.
For the purpose of Record

Superintendent
By Order of the District & Sessions Judge
South Goa
Margao