

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO.9566/2019
(Arising from SLP(C) No(s). 23400/2019)

VIKRAM FERNANDO VELHO

APPELLANT(S)

VERSUS

LIZ HENRIETTA DO CARMO GRACIAS

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard counsel for the parties.
3. We are informed by the counsel for the parties that the parties have amicably settled all the disputes and have reduced the settlement terms into writing in the form of Consent Terms, which read thus :

CONSENT TERMS

1. These Consent Terms are being executed between the Petitioner and the duly constituted POA holder and mother of the Respondent named Mrs. Justina Anastasia De Braganca Gracias, aged about 80 years, widow of Late Roque da Piedade Jesus Ismail Gracias, R/o A/21, La Marvel, Dona Paula, Ilhas, Goa.
2. The Marriage solemnized on 20/12/1999 is dissolved by mutual consent in view of these Consent Terms under Article 4 of the Law of Divorce and the Matrimonial Petition No 25/2016/B pending before the Civil Judge, Senior Division at Panaji 'B' Court is disposed off accordingly.

3. All other proceedings:

Sr No.	Court	Case No.	Cause Title
1	PANAJI JMFC 'C' COURT	PWDVA 33/2018	LIZ GRACIAS V/S VIKRAM VELHO
2	PANAJI JMFC 'B' COURT	MTA/6/2019	LIZ GRACIAS V/S VIKRAM VELHO
3	PANAJI CIVIL JUDGE SENIOR DIVISION "A' COURT	SCS 38/2016/A	LIZ GRACIAS V/S VIKRAM VELHO

The above said proceedings as tabulated and any other Petitions / complaints/suits or proceedings of any nature whatsoever by or between the parties hereto and/or their relatives and/or their associates filed by the Petitioner/Respondent/their Family members/their business associates/their acquaintances against the Petitioner/Respondents and/or their family members before Police stations/law enforcement agencies/tribunals/quasi-judicial authorities or any other authorities stand dismissed and/or are disposed off/quashed/withdrawn/dismissed, in view of the following:-

- a) The Petitioner undertakes to pay a sum of Rs.7 Crores by way of Bank transfer to the Respondent which shall be Full and Final Settlement towards alimony. The payment schedule shall be as follows:

Date of Transfer	Amount (in Rs)
15.01.2020	Rs 1 Crore
15.04.2020	Rs 1.5 Crore
15.06.2020	Rs 1.5 Crore
15.09.2020	Rs 1.5 Crore
15.12.2020	Rs 50 Lacs
15.01.2021	Rs 1 Crore

The Bank Account Particulars of Respondent into which the above-said payment shall be made by the Petitioner are as follows:

Name	Liz Henrietta Do Carmo Gracias
Bank Name	State Bank of India

Saving Bank Account No.	10011024764
IFSC Code	SBIN0004055
Bank Address	State Bank of India, Kamat Kinara, Miramar-Caranzalem, Goa – 403002

- b) The aforesaid payment of 7 Crores will be treated as full and final settlement towards alimony to be paid by Petitioner husband to Respondent – Wife and the Daughter Diya Gracias Velho. The Respondent - Liz Henrietta Do Carmo Gracias and the Daughter - Diya Gracias Velho will not have any right of claim to inherit any ancestral and self acquired property that may be in the name of the Petitioner – Vikram Fernando Velho and his parents. The Petitioner will stop giving the monthly maintenance amount of Rs.30, 000/- to the Daughter - Diya Gracias Velho.
- c) The Petitioner and Respondent undertake not to file any further or other complaints/proceedings/petitions/suits or any proceedings of whatsoever nature in respect of/pertaining to any of the matters set out in the present consent terms.
4. All the above undertakings in this Consent terms are to the Hon'ble Supreme Court of India and any breach whatsoever of the above conditions by either of the parties shall amount to Contempt of Court.

Sd/-
PETITIONER
(Vikram Fernando Velho)

Sd/-
RESPONDENT THROUGH MOTHER POA
(Mrs. Justina Anastasia De Braganca Gracias)

Sd/-
Counsel for Petitioner

Sd/-
Counsel for Respondent

4. **A joint prayer is made by the counsel for the parties on behalf of their respective clients for disposing of the present appeal and all proceedings**

pending between the parties on terms and conditions specified hereinabove, as recorded in the Consent Terms and also grant decree of divorce by mutual consent in exercise of powers under Article 142 of the Constitution of India.

5. Having regard to above, we are satisfied that the settlement entered into between the parties in terms of Consent Terms filed in this Registry on 11.12.2019 deserves to be accepted and so also the prayer made for a decree of divorce by mutual consent in exercise of our powers under Article 142 of the Constitution of India.

6. We, accordingly, grant the decree of divorce by mutual consent to the petitioner and respondent. Their undertakings given in the aforementioned consent terms are accepted. Accordingly, the marriage between the petitioner and respondent solemnized on 20.12.1999 stands dissolved in terms of the aforesaid Consent Terms.

7. In view of above, all cases pending between the parties in different Courts, details of which are above-quoted in paragraph Nos. 2 and 3 of the Consent Terms shall stand withdrawn to this Court and are quashed/disposed of.

8. We record and accept the undertaking given by the parties that the parties shall abide by the terms and conditions incorporated in the aforesaid Consent Terms and shall not initiate any further civil or criminal case against each other and/or their family members with regard to the matrimonial alliance.

9. Resultantly, the appeal and pending applications therein are disposed of in the aforementioned terms.

....., J.
(A.M. KHANWILKAR)

....., J.
(DINESH MAHESHWARI)

NEW DELHI
DECEMBER 13, 2019

ITEM NO.9

COURT NO.7

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 23400/2019

(Arising out of impugned final judgment and order dated 19-08-2019 in WP No. 558/2019 passed by the High Court Of Judicature At Bombay At Goa)

VIKRAM FERNANDO VELHO

Petitioner(s)

VERSUS

LIZ HENRIETTA DO CARMO GRACIAS

Respondent(s)

Date : 13-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Ms. Madhusmita Bora, AOR
Mr. Pawan Kishore Singh, Adv.
Mr. Dipankar Sinha, Adv.

For Respondent(s) Mr. Vikrant Yadav, Adv.
Mr. Sreenath S.
Mr. Sriram P., AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal and pending applications are
disposed of in terms of the signed order.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file.)