

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.594 OF 2014  
along with  
CIVIL APPLICATION NO.1429 OF 2014  
in  
SECOND APPEAL NO.594 OF 2014**

Rajendra Vasantrao Buddhe & Anr. .. Appellants/Applicants  
Vs.  
Amit Bhushan Shinde & Anr. .. Respondents

---

Mr.Drupad Patil for the appellants/applicants.  
Mr.Amit Sarkar for the respondents.  
Appellant-in-person present.

---

**CORAM : R.D. DHANUKA, J.**  
**DATE : 9<sup>th</sup> December 2015**

P.C.

. By consent of the parties, the following order is passed :-  
The impugned decree passed by the learned trial Judge and the order passed by the lower Appellate Court are substituted by the following order.

- a) Suit is decreed with costs;
- b) The defendants do execute the sale deed in respect of the suit property bearing City Survey No.1463/B more particularly described in paragraph 1 of the plaint situated at Kolhapur in favour of the plaintiffs within four weeks from today excluding the open space mentioned in paragraph 1 of the plaint upon the respondents paying a sum of Rs.1,40,000/- within two weeks from today to the appellants herein;

- c) It is made clear that the appellants would be entitled to withdraw the amount deposited by the respondents herein before the Trial Court pursuant to the order and decree dated 15<sup>th</sup> March 2013 with accrued interest thereon, if any;
- d) Both the parties have agreed that the sale deed would be executed by and between the parties as ordered aforesaid within four weeks from today before the executing Court provided the respondents make payment of Rs.1,40,000/- to the appellants within the time prescribed;
- e) Second appeal is disposed of in aforesaid terms. In view of disposal of the appeal, civil application does not survive and is accordingly disposed of. No order as to costs.

***R.D. DHANUKA, J.***