

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7096 OF 1998
WITH
CIVIL APPLICATION NO. 2912 OF 2014

Dinkar Mukinda Gadhave
since deceased through LRs.
Ramchandra D. Gadhave and ors. .. Petitioners
vs.
Maruti Yadu Gadhave and anr. .. Respondents

AND
CIVIL APPLICATION NO. 1694 OF 2012

Kum. Deepali M. Deshmukh and ors. .. Applicants.

In the matter between
Dinkar Mukinda Gadhave
since deceased through LRs.
Ramchandra D. Gadhave and ors. .. Petitioners
vs.
Maruti Yadu Gadhave and anr. .. Respondents

Mr. Sachin Chavan for the Petitioners/Applicants in WP 7096/98
and CAW 2912/14.
Mr. Rohan Surve for Respondent No.1 in WP 7096/98, CAW
2912/14 and CAW 1694/12.
Mr. Nikhil Chavan i/b Mr. Vinod Jadhav for the Applicants in CAW
1694/12.

CORAM : M. S. SONAK, J.
DATE : 21 JANUARY, 2015

P.C. :-

1] Learned counsel for the parties hand in consent terms styled
as '*Tadjod Patra*'. The same are taken on record and marked as 'X'
on each page and annexure for the purposes of identification.

2] The aforesaid consent terms have been signed by all the parties and their respective advocates.

3] Learned counsel for the parties inform me that the consent terms, which are in Marathi language have been read over and explained to the parties. The parties, apart from their signatures, have also put their thumb impressions. To the consent terms is annexed sketch, which the parties admitting shall form a part of the consent terms.

4] This Court has also ascertained from the parties, who are present in the Court as to whether they understand the contents of the consent terms and its implications, to which they have replied in the affirmative.

5] Accordingly, Writ Petition No. 7096 of 1998 is disposed of by accepting the aforesaid consent terms and in terms thereof.

6] Learned counsel for the parties state that the Civil Applications, i.e., Civil Application No. 2912 of 2014 and Civil Application No.1694 of 2012, which are pending do not survive.

7] In so far as Civil Application No. 1694 of 2012 (Not on board. Taken on record) is concerned, it is the case of the learned counsel for the parties that even the same does not survive. However, it is made clear that the disposal of the said civil application shall be subject to the right of the civil applicants to take out any appropriate proceedings, as may be permissible under the law.

8] Accordingly, Civil Application Nos.2912 of 2014 and 1694 of 2012 are disposed of in the aforesaid terms.

9] There shall be no order as to costs.

10] Certified copy is expedited.

(M. S. SONAK, J.)

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