

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

**FIRST APPEAL NO. 1161 OF 2009
WITH
CIVIL APPLICATION NO. 3209 OF 2009
IN
FIRST APPEAL NO. 1161 OF 2009**

Ujwala Vasant Wagh ..Appellant

Vs.

Sumitra Eknath Mujumdar and Ors. ..Respondents

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Mr. Tejas Vora, Advocate i/b Sagar Kasar for Appellant.

Mr. Amol Wagh, Advocate for Respondent Nos.2a, 2b and 2c.

Mr. Vilas Mali, Advocate i/b P.V. Sankpal for Respondent No.1.

Mr. A.A. Nelaskar, Advocate for Respondent Nos. 3 and 4.

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CORAM : K.K. TATED, J.

DATED : 24 FEBRUARY 2015

P.C.:

1. Not on board. At the request of the learned Counsel for appellant, taken on board for urgent order.

2. The learned Counsel for appellant submits that the power of attorney dated 14 November 2014 on behalf of the appellant is already placed on record at the time of filing of Vakalatnama. The statement is accepted.

3. Both the Counsel states that the matter is settled out of the Court by the consent terms dated 24 February 2015.

4. Both the Counsel state that all parties are present before the Court. Undertaking given by all the parties as recorded in paragraph 15 and 16 is accepted.

5. First Appeal No. 1161/2009 is disposed of in terms of Consent Terms dated 24 February 2015. Consent terms are marked as 'X' for identification.

6. Consent term to be treated as part and parcel of decree. In view of the consent term dated 24 February 2015, by consent of both the parties, the impugned order dated 2 May 2009 passed by the Joint Civil Judge, Junior Division, Pune in Special Civil Suit No. 287/1996 is modified to that extent. Refund of court fees according to law.

[K.K. TATED, J.]