

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NOS. 3550 OF 2014
AND CIVIL APPLICATION (CAF) NO. 1558 OF 2015

Kalpana Dilip Kaurati Vs. Usha Vitthalrao Kumbhalkar & Ors.

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Smt. S. Deshpande Adv for applicant.

CORAM: A.S.CHANDURKAR J.

DATED: 23rd OCTOBER, 2015.

Considering reasons mentioned in the application the delay in filing first appeal stands allowed. Civil application is allowed and disposed of.

Civil Application No. 1558 of 2015: In the application appellant has stated that the proceedings have been amicably settled and an amount of Rs. 1,00,000/- has been paid to the respondent nos. 1 to 5. Hence permission is sought to withdraw the appeal in aforesaid circumstances.

Shri Mahesh Rai, learned counsel for respondent nos. 1 to 5 does not dispute the aforesaid aspect. He submits that the settlement took place before Claims Tribunal at Wardha.

In view of aforesaid the following order is passed:

The appeal is permitted to be withdrawn in view of settlement between appellant and respondent nos. 1 to 5. The appellant is entitled to receive back court fees in accordance with rules. Similarly the amount of Rs.

25,000/- towards mandatory deposit be paid to the appellant with interest accrued thereon. First appeal is disposed of in aforesaid terms. On the appellant submitting true copy of the settlement deed original settlement signed by the parties may be returned back.

JUDGE

svk