

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

SECOND APPEAL NO. 436 OF 1994
WITH
SECOND APPEAL NO. 180 OF 1994

Rukhmanbai Pitambar Dhande
Vs.
Shevantabai Shravan Dhande

...
Advocate for appellants in SA No. 436/94 : L.V. Sangeet h/f. Mr.
V.J. Dixit, Sr. Counsel
Advocate for appellants in SA No. 180/1994 : C.S. Deshmukh
...

CORAM : T.V. NALAWADE, J.
DATED : 25th April, 2016.

ORDER :

1. In both the appeals today compromise terms came to be filed. The two persons, to whom general power of attorney is given by the parties are present and they are identified by the learned counsels of both the sides.

2. Submission was made that Indubai, one of the plaintiff of the specific performance of contract is dead and her legal heirs are not brought on the record. It was submitted that plaintiff has failed in getting the decree of specific performance of contract and now the parties have settled the dispute. Submission was made that legal heirs of Indubai have given power of attorney in favour of Ramchandra, who has signed the

terms. Request was made to give decree as per the compromise terms.

3. In view of the aforesaid circumstances and submissions made, both the appeals are allowed. Judgments and decrees of the Courts below are set aside. Decree is to be prepared in terms of compromise. Appeals are disposed of.

[T.V. NALAWADE, J.]

ssc/