

JPP

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

SECOND APPEAL NO. 659 OF 2012

Anant Krishnarao Deshpande and Ors. ... Appellant/Applicants.

V/s.

Nilkantha @ Babu Ganesh Deshpande & Ors. ... Respondents.

Mr. S.S. Patwardhan for the Appellants/Applicants.

Mr. I.M. Khairdi for the Respondents 1,3 to 6.

Mr. Ajit Savagave for Respondent 7(a) to 7(f).

CORAM : N.M. Jamdar, J.

16 June, 2016.

P.C. :-

The learned Counsel for the parties state that parties have settled the dispute and have executed the consent terms.

2. The learned Counsel for the parties state that the parties prepared the consent terms which the parties have signed by attending the District Court at Kolhapur personally. They state that their signatures have been verified by the Superintendent, District Court, Kolhapur. The learned Counsel state that all the parties are not able to travel and to attend this Court to file separate consent terms and therefore, the consent terms annexing the consent terms executed before the District Court,

Kolhapur is signed by Appellant No.1, Respondent No.5 and Respondent No.7(a). Consent terms which are signed by these Respondents are taken on record only for the limited purpose that they annexe the consent terms executed in Kolhapur is annexed thereto.

3. In the consent terms which have been signed before the District Court, Kolhapur, details of partition of the property at Kolhapur has been provided. At the request of the learned Counsel for the parties the said consent terms which have been executed in the District Court, Kolhapur are taken on record. The Appeal is disposed of in terms of the consent terms which are signed before the District Court, Kolhapur placed on record by way of consent terms dated 14 June 2016.

4. The consent terms signed in Kolhapur dated 14 June 2016 tendered in this Court is marked 'X', the consent terms signed in the District Court, Kolhapur on 27 April 2016 are marked 'X-1' and the consent terms signed in the District Court, Kolhapur on 7 June 2016 are marked 'X-2'.

5. The learned Counsel for the parties assure that the consent terms which have been executed in the District Court, Kolhapur are signed by all concerned.

6. The decree shall be accordingly modified in terms of the consent terms referred to above.

(N.M. Jamdar, J.)