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

CIVIL APPLICATION NO. 649 OF 2014

in

SECOND APPEAL NO. 292 OF 2014

Smt. Jayashri Narayan Jagdale. ... Applicant/Appellant.

V/s.

Smt. Tarabai Vaman Jagdale. ... Respondent.

Mr. Abhijit Kadam for the Applicant/Appellant.

Mr. V.S. Talkute for the Respondent.

CORAM : N.M. Jamdar, J.

05 July, 2016.

P.C. :-

By order dated 5 May 2016, by consent of parties, Mr. R.G. Sahastrabuddhe, Advocate, Phaltan was appointed as a Mediator. The learned Mediator has placed on record his report dated 23 June 2016 annexing the Consent terms wherein the Applicant has agreed to pay Rs.3,000/- as maintenance to the Respondent during the pendency of the Appeal.

2. The Consent terms signed by both the parties are taken on record. Accordingly, the Applicant shall pay the amount of Rs.3,000/- per month to the Respondent till the disposal of the Appeal.

3. The learned Counsel for the parties state that the arrears of 26 months during the pendency of the Civil Application has not been referred to in the compromise.

4. Considering the facts and circumstances and earlier orders passed, the issue of arrears of 26 months is kept open to be considered at the time of hearing of the Appeal. It is however directed that in case the Applicant makes two consecutive defaults in payment of the maintenance per month, then it will be open to the Respondent to move this Court to seek the arrears.

5. On these terms, the Civil Application is disposed of.

(N.M. Jamdar, J.)