

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

**SECOND APPEAL NO. 562 OF 2007
WITH
CIVIL APPLICATION NO. 1162 OF 2013
ALONG WITH
CIVIL APPLICATION (ST.) 31123 OF 2016
IN
SECOND APPEAL NO. 562 OF 2007**

Baban Sahadu Chavan & Ors.

...Appellants

Versus

Shri. Dnyanoba Sahadu Chavan & Ors.

...Respondents

Mr. S.A. Sawant, for the Appellants.

Mr. S.G. Deshmukh, for the Respondents No. 1 to 4.

(No R & P of CAsT./31123/16)

CORAM : R.D. DHANUKA, J.

DATE : 21st November 2016

ORDER :

1. Civil Application (St.) No. 31123 of 2016 is not on board. Taken on board.

2. Mr. Sawant learned Counsel appearing for the appellants

states that matter is already settled between the parties on the terms recorded in the document annexed to the Civil Application at Exh.A on 25th June 2016. By this Civil Application, the applicants seek disposal of the Second Appeal No. 562 of 2007 and to substitute the decree passed by the Trial Court and Appellate Court by passing a decree in terms of the Registered Partition Deed dated 25th June 2016. By consent of parties, the Civil Application is made absolute in terms of prayer clause (A).

3. Second Appeal No. 562 of 2007 is disposed of in terms of the settlement arrived at and recorded in the Registered Partition Deed dated 25th June 2016.

4. The Civil Application is disposed of in aforesaid terms.

5. No order as to costs.

6. The signatories to the Partition Deed who are parties to the present proceedings are present in Court.

7. In view of the disposal of the Second Appeal, the Civil Application No. 1162 of 2013 does not survive and is accordingly disposed of.

[R.D. DHANUKA, J.]