

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1979 OF 2008

WITH

REVIEW PETITION (ST.) No. 12539 of 2009

WITH

CIVIL APPLICATION NO. 3834 OF 2010

IN

FIRST APPEAL NO. 1979 OF 2008

Mr. Nabeel Hassan Bawa & Ors.

...Appellants

Versus

Mrs. Zubeida Mulla & Ors.

...Respondents

Mr. R.R. Verma, for the Appellants.

Mr. Nabeel H. Bawa, Appellant No. 1 present.

Mrs. Zubeida B. Mulla, Respondent No. 1 present.

CORAM : G.S. KULKARNI, J.

DATE : 13th December 2016

ORDER :

1. Not on board. Taken on board on a praecipe as moved on behalf of the Appellant. It is being stated that the parties have settled the dispute in this First Appeal.

2. The learned Counsel for the Appellant seeks leave to

delete the names of Respondents No. 2 Mr. Mehraj F. Mulla and 3 Mrs. Farzine Mehraj Badruddin. Leave granted. Amendment to be carried out forthwith.

3. Mr. Verma appears for the Appellants. Respondent No.1 Mrs. Zubeida Badruddin is personally present in Court. She is identified by the Advocate for the Appellant as also she has produced the document identifying her namely Aadhar Card No.692180395564.

4. In a Partition Suit being Suit No. 3525 of 2015, which was pending before the City Civil Court at Bombay (Dindoshi, Goregaon) the parties have settled the said Suit in terms of the settlement dated 19th November 2016 and the Suit was accordingly disposed of. In paragraph 14 of the said Consent Terms, the Defendant No. 4 therein namely the present Respondent No. 1 Mrs. Zubeida Badruddin Mulla had agreed and confirmed to file the Consent Terms in the present First Appeal.

5. The learned Counsel for the Appellant and Respondent No.1 (in person) accordingly have tendered Consent Terms as arrived between Appellant No. 1 and Respondent No. 1. I have also put some questions to Respondent No. 1 as regards the proceedings

before the Trial Court in Suit No. 3525 of 2015 and in the present proceedings. She has satisfactorily answered the queries of the Court. She also confirms that this First Appeal has being settled between the parties in terms of the Consent Terms dated 13th December 2016 arrived at between Appellant No. 1 and herself (Respondent No. 1). There is no dispute in regard to the signatures. The Consent Terms accordingly, are taken on record and marked “X” for identification.

6. Accordingly, the First Appeal No. 1979 of 2008 is disposed of in terms of Consent Terms.

7. The Civil Application does not survive and is accordingly, disposed of.

8. Review Petition does not survive and is accordingly, disposed of.

[G.S. KULKARNI, J.]