

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

**CIVIL APPLICATION NO.688 OF 2016
IN
CIVIL REVISION APPLICATION NO.767 OF 2011**

Smt. Kasanpyari Gaurishankar Sharma
& Ors.

.... Applicants
(Orig. Defendants)

versus

Smt. Sarlabai Kamlesh Goswami
& Ors.

... Respondents
(Orig. Plaintiffs)

Mr.Girsih R. Agrawal for the applicants.
Mr.Anil Ahuja for the respondents No.1 to 4.

**CORAM : R.G. KETKAR, J.
DATE : 21st OCTOBER, 2016**

P.C. :

1. Not on board. On the joint application made by the learned Counsel for the parties taken up for orders.

2. Learned Counsel for the parties have tendered consent terms dated 21/10/2016 duly signed by the parties and their advocates. Under consent terms it is agreed between the parties that upon payment of Rs.5 lakhs by the respondents to the applicants, they will vacate and hand over the possession of the

suit premises to the respondents within one week from today. Mr.Agrawal submits that applicants No.2, 3, 3(b), 3(e) and 4 to 7 are present in the Court. The Power of Attorney of applicant No.3(a) is applicant No.3(c). He is present in the Court.

3. Mr.Ahuja states that all the respondents are present in the Court. They admit and confirm correctness of the consent terms. The learned Counsel for the parties state that consent term bears photographs of the parties. Alongwith consent terms, photocopy of pay order in the sum of Rs.5 lakhs in favour of applicant is enclosed.

4. The learned Counsel for the parties submit that Civil Revision Application may be disposed of in terms of consent terms and the applicants may be allowed to without the Civil Revision Application.

5. Alongwith consent terms (1) Photocopy of pay order (2) death certificate (3) Photocopies of ID Cards of the parties (4) General Power of attorney executed by the applicant No.3(a) in

favour of applicant No.3 (c). Consent terms alongwith annexure is taken on record and marked 'X' collectively for identification.

6. After perusing the consent terms, I am satisfied that the controversy between the parties is amicably settled in terms of the consent terms.

7. Mr.Agrawal seeks permission to withdraw this application in view of the consent terms. Mr.Agrawal acknowledges receipt of pay order in the sum of Rs.5 lakhs.

8. On the motion made by learned Counsel for the parties, Civil Revision Application is allowed to be withdrawn. Rule is discharged with no order as to costs.

(R. G. KETKAR, J.)