

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

CIVIL REVISION APPLICATION NO.1091 OF 2014

Shri. Nagnath Hanumant Koli

.. Applicant

Versus

Shri. Vishwanath Shivlingappa Patil

.. Respondent

Mr. Vijay Killedar, for the Applicant.

Mr. Samir Kumbhakoni, for the Respondent.

Mr. Nagnath H. Koli- Applicant present.

Mr. V. S. Patil- Respondent present.

CORAM : R.M. SAVANT, J.

DATE : 8th JANUARY 2016

PC.

1. The Learned Counsel for the Applicant Mr. Vijay Killedar states that he has filed Vakalatnama yesterday in the office for the Applicant seeks withdrawal of the above Civil Revision Application in view of the compromise pursis dated 05.01.2016 which evidences the settlement arrived at between the parties. The Learned Counsel tender the said compromise dated 05.01.2016 to which is annexed the consent letter of the son and daughter of the Applicant who have thereby endorsed the settlement arrived at between the Applicant and the Respondent. The consent terms are signed by the parties and their Advocates Mr. Vijay Killedar on behalf of the Applicant and Mr. Samir Kumbhakoni on behalf

of the Respondent. In terms of the settlement the Respondent is to pay a sum of Rs.3,00,000/- to the Applicant which he is tendering by way of cheque being No.045786 drawn on State Bank of India, Solapur Treasury Branch, which is dated 05.01.2016. A photocopy of the cheque is annexed to the compilation comprising of the compromise pursis and the consent letter at page No.10 thereof. The entire compilation is paginated from page Nos.1 to 10. The compilation comprising of the compromise pursis, the consent letter and the photocopy of the cheque is taken on record and marked as "X" for identification. The Applicant and the Respondent are personally present in Court. When put in the box and queried they state that the terms mentioned in the compromise pursis are acceptable to them and that they have signed them of their own free will and volition. The Learned Counsel Mr. Samir Kumbhakoni states that the cheque for the amount of Rs.3,00,000/- in terms of clause (3) would be handed over to the Applicant in the course of the day. Statement accepted. By taking the compromise pursis on record and marking the same "X" for identification, the Civil Revision Application is allowed to be withdrawn and dismissed as such.

[R.M. SAVANT, J]