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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.286 OF 2016
WITH
CIVIL APPLICATION NO.544 OF 2016

Manik R. Dhorje & Anr.	...Appellants
V/s.	
Dnyanoba S. Orpe & Anr.	...Respondents

Mr.Jaydeep Deo for the Appellants.

Mr.Sriram Kulkarni for the Respondent Nos.1 and 2.

CORAM : R.D. DHANUKA, J.
DATE : 3RD OCTOBER, 2016.

P.C. :-

1. All parties are present in Court. Learned counsel appearing for the appellants seeks liberty to delete the name of the respondent no.3 from the cause title of the second appeal. Leave to amend is granted to delete the name of the respondent no.3. The amendment to be carried out forthwith.

2. Learned counsel appearing for the appellants and the respondent nos.1 and 2 have tendered the consent terms dated 3rd October, 2016 duly signed by their respective clients and also their respective advocates on record. Learned counsel for the respondent nos.1 and 2 has explained the contents of the consent terms in

Marathi to the parties to the consent terms and have made an endorsement in that regard on the consent terms. The consent terms dated 3rd October, 2016 are taken on record and marked "X" for identification. The undertaking contained in the consent terms are accepted.

3. Since the appellants have rendered an undertaking to this Court to hand over vacant and peaceful possession of the suit premises and keys before the Civil Judge, Junior Division, Pune on 14th October, 2016 in Special Civil Suit No.669 of 2004, now renumbered as Regular Civil Suit No.4538 of 2012 and since the respondent nos.1 and 2 have undertaken to hand over the amounts mentioned in the consent terms in the suit proceedings on 14th October, 2016, the learned Civil Judge, Junior Division, Pune is directed to place Regular Civil Suit No.4538 of 2012 on board for directions to enable the parties to comply with their respective undertakings recorded before this Court in the consent terms tendered across the bar today.

4. Learned counsel for the parties on instructions state that by filing this consent terms in this Court, all pending disputes between the appellants and the respondent nos.1 and 2 stood resolved with regard to the suit property. The statement is accepted.

5. Second Appeal No.286 of 2015 is disposed of in terms of

the consent terms. No order as to costs.

6. In view of disposal of the second application, Civil Application No.544 of 2016 does not survive and is accordingly disposed of.

7. All the parties as well as the learned Civil Judge, Junior Division, Pune to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)