

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SECOND APPEAL NO.10/2003

(Smt. Tejabai Ganpatlal Khandelwar (Dead) through LRs. Ganpatlal Shiwandas Khandelwal and ors. ..vs.. Shriram Tobacco Company)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CORAM : A. B. CHAUDHARI, J.

DATE : MARCH 18, 2016

None for the parties. However, on perusal of the record, it appears that there is a Pursis Stamp No.3673/2016 along with a Deed of Settlement/Compromise in which the number of the present Second Appeal is given. Perused the said Deed of Settlement/Compromise, which is a photocopy certified by Advocate.

Since counsel for the parties remained absent on 14.03.2016, this case was posted for dismissal on 15.03.2016 but it did not reach. Today, it is called out. Again, there is no appearance by both the sides. However, looking to the Pursis St. No. 3673/2016 along with Deed of Settlement/Compromise, I am of the opinion that this Court should accept the settlement which is duly signed by all the parties and Advocate for the appellant, who has moved this pursis for withdrawal of the appeal.

In view of above, instead of dismissing the appeal in default, following order is passed.

ORDER

(i) Statement made in Pursis St.No. 3673/2016 along with Deed of Settlement/Compromise is accepted.

(ii) Second Appeal No.10/2003 is disposed of as withdrawn in view of the settlement.

(iii) The Deed of Settlement/Compromise shall form part and parcel of this decree.

No order as to costs.

JUDGE