

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 881 OF 1994

Shamabi Sayed wd/o. Mushraf
Hussain (deceased) her L.Rs.
Akhtar Hussain Sayyed & Ors. .. Appellants
vs.
Naimunissa wd/o. Jahangir Khan
& Ors. .. Respondents

Mr. Kishor Patil with Mr. Dipak Mane for Appellants.
Mr. N. B. Khan for Respondents.

CORAM : M. S. SONAK, J.
DATE: 19 JANUARY 2017

P.C :

1] Learned counsel for the parties hand in consent terms which are taken on record and marked as 'X' for the purposes of identification.

2] The consent terms have been signed by Liyakat Hussain Sayed – appellant No. 1C, for self and in his capacity as power of attorney holder for appellant nos. 1B, 1D and 1E. The original of the power of attorney dated 8 August 2016 has been shown to me and a copy of the same is kept on record.

3] Mr. Liyakat Hussain Sayed is present in the Court and he says that he has signed these consent terms after understanding

their scope and import.

4] Similarly, respondent nos. 1, 2, 4, 5 and 6 are present in court and they say that they have signed these consent terms after understanding their scope and import. Respondent no. 3 Anisa Eklakh Siddique is not present. However, she has signed the consent terms. Remaining respondents as also learned counsel for the respondents confirm this position.

5] The consent terms are in respect of a structure and the parties have agreed to the proportions in which the structure shall be shared between them.

6] The appeal is disposed of in accordance with the consent terms.

7] The necessary decree be drawn accordingly.

(M. S. SONAK, J.)