

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

**SECOND APPEAL NO. 593 OF 2016  
WITH  
CIVIL APPLICATION NO.1187 OF 2016**

|                              |     |            |
|------------------------------|-----|------------|
| Shri. Subhash D. Patil       | ... | Appellant  |
| Versus                       |     |            |
| Shri. Dashrath Kalidas Patel |     |            |
| (since deceased)             |     |            |
| through his legal heir       |     |            |
| Pravin D. Patel              | ... | Respondent |

**WITH**

**SECOND APPEAL NO. 464 OF 2016  
WITH  
CIVIL APPLICATION NO. 942 OF 2016**

|                              |     |            |
|------------------------------|-----|------------|
| Shri. Dashrath Kalidas Patel |     |            |
| (since deceased)             |     |            |
| through his legal heir       |     |            |
| Pravin D. Patel              | ... | Appellant  |
| Versus                       |     |            |
| Shri. Subhash D. Patil       | ... | Respondent |

Ms. Latika Panchakshari for the Appellant in S.A. No.593/16 and Applicant in C.A. No.1187/16 and Respondent in S.A. No.464/16.  
Mr. B.S. Nayak for the Appellant in S.A. No.464/16 and Applicant in C.A. No.942/16 and Respondent in S.A. No.593/16.

**CORAM: S.J. KATHAWALLA, J.**

**DATE: 3<sup>rd</sup> JULY, 2017**

**PC.:**

Mr. B.S. Nayak undertakes to file Vakalatnama on behalf of the

Respondent in S.A. No.593/16 and for the Appellant in Second Appeal No.464/16. The undertaking is accepted. The learned Advocates appearing for the parties have tendered Consent Terms dated 26th June, 2017. They submit that the same be taken on record. The above Second Appeal is accordingly disposed off in terms of Consent Terms. The Consent Terms are signed by the parties and their respective Advocates. The Second Appeal is accordingly disposed off in terms of Consent Terms marked 'X'.

( S.J.KATHAWALLA, J. )