

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 294 OF 2016
IN
CIVIL REVISION APPLICATION NO.242 OF 2011**

**M/s. Khyber Restaurant through Partner
Shri Tarun Uparant Chaddha**

..Applicant

Vs.

Shri Vilas Shankarrao Pingale & Ors

..Respondents

**WITH
CIVIL APPLICATION NO. 295 OF 2016
IN
CIVIL REVISION APPLICATION NO.242 OF 2011**

**M/s. Khyber Restaurant through Partner
Shri Tarun Uparant Chaddha**

..Applicant

Vs.

Shri Vilas Shankarrao Pingale & Ors

..Respondents

**Mr. N.V. Walawalkar Senior Advocate i/b Mr. S. A. Rajeshirke for the
Applicant**

Mr. P. M. Jadhav for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 27th APRIL, 2017

P.C.

1 Civil Revision Application No.264 of 2015 is between the same parties and the same premises but filed by the Respondent No.1 in Civil Revision Application No.242 of 2011 i.e. the landlord, is not on board. Civil Application No.214 of 2011 in Civil Revision Application No.242 of 2011 is also not on board. With the consent of the Learned Counsel for the parties both are taken on board.

2 In the light of clause (G) of the consent terms dated 23-3-2017, the Learned Senior Counsel appearing on behalf of the Applicant in Civil Revision Application No.264 of 2015 seek its withdrawal and further makes a statement that the Respondent gives up all his claims in respect of monetary claim in respect of the suit property. The Civil Revision Application No.264 of 2015 is accordingly allowed to be withdrawn and dismissed as such. The statement of the Learned Senior Counsel is also accepted. In view of the withdrawal of the Civil Revision Application No.264 of 2015, the Learned Counsel appearing for the Respondent Mr. P. M. Jadhav seeks withdrawal of Civil Application No.750 of 2016 filed in the said Civil Revision Application No.264 of 2015. The Civil Application No.750 of 2016, is accordingly allowed to be withdrawn and dismissed as such.

3 In view of clause (H) of the consent terms, the Learned Counsel appearing for the Applicant in Civil Revision Application No.242 of 2011 seeks withdrawal of Civil Revision Application No.242 of 2011, Civil Application No.294 of 2016, Civil Application No.295 of 2016 and Civil Application No.214 of 2011. The aforesaid proceedings are allowed to be withdrawn and dismissed as such.

4 It is required to be mentioned that the the decree was passed in

terms of the consent terms by the Trial Court and it has also been recorded by the Trial Court that the decree is marked satisfied.

5 A certified copy of the consent terms dated 23-3-2017 is taken on record and marked as “X” for identification.

[R.M.SAVANT, J]