

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL (St.) No. 21086 OF 2017
WITH
CIVIL APPLICATION No. 2502 OF 2017
WITH
CIVIL APPLICATION No. 2503 OF 2017**

Dilip Kishanchand Seth & Anr. ... Appellants/Applicants
Vs.
Lalit Kishanchand Seth & Anr. ... Respondents

Mr.Raj Patel a/w. Sayeed Y. Mulani i/b. Mulani & Co., Advocate for
the appellants/applicants.
Ms.Dhanalakshmi Iyer, Advocate for respondent No. 1.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 6th October, 2017.

P.C.:

Upon mentioning, taken on production board.

2. The learned counsel submitted that appellant nos. 1 and 2 and respondent No. 1 are brothers and respondent No. 2 is a cooperative society. The learned counsel submitted that the Cooperative Society is a formal party and no relief is claimed against respondent No. 2/Society. The learned counsel submitted that the parties are present and they want to file the consent terms.

3. The learned counsel for respondent No. 1 submitted that the respondent No. 1/plaintiff seeks permission to withdraw the Suit and

Appeal against respondent No. 2/ Alka Cooperative Housing Society Ltd.

4. The learned counsel for the respondent No. 1 is allowed to withdraw the Suit and Appeal against respondent No. 2.

5. The learned counsel for both the parties, i.e., appellants/original defendants and respondent No. 1/original plaintiff filed the consent terms. All the parties are present. The parties along with their respective counsel signed the consent terms. The consent terms is taken on record and marked as Exhibit 1. The undertakings given in the consent terms by the parties are accepted. In view of the consent terms, First Appeal is disposed of. Accordingly, decree is to be drawn.

6. Parties are allowed to withdraw their respective original documents by substituting photocopies in presence of the Registrar. Registrar to accept the photocopies and allow the parties to withdraw the original documents.

7. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)