

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (S) NO.514 OF 2012
IN
SECOND APPEAL ST. NO.9169 OF 2012

BANSILAL SARDA CHARITABLE TRUST AND ANR.
VS
SHRI GOVINDLAL S/O BANSILALJI SARDA AND ANR.

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

Court's or Judge's orders

Shri A. C. Dharmadhikari, Advocate for the appellants.
Shri A. Parchure, Advocate for respondent no.1.

CORAM : A.S. CHANDURKAR, J.
DATED : JULY 28, 2017.

Considering the reasons mentioned in the application,
the delay in filing the second appeal stands condoned.

SECOND APPEAL ST. NO.9160 OF 2012.

Admit.

Shri Anand Parchure, learned Counsel waives notice
on behalf of the respondent no.1.

Shri Nitin Jachak, learned Counsel waives notice on
behalf of the respondent no.2.

With consent of learned Counsel for parties, the
appeal is taken up for final disposal.

In this appeal, judgment dated 8-10-2010 passed in
Regular Civil Appeal No.14/2010 is under challenge. The
proceedings arise under Section 22 of the Maharashtra Public
Trusts Act, 1951. The change sought to be recorded was with

regard to Trust property and especially Block No.5.

It is not necessary to enter into the merits of the dispute as during pendency of the present proceedings, the parties have arrived at an understanding so as to put an end to the dispute between them with regard to Block No.5. Memorandum of understanding dated 12-5-2017 is placed on record in that regard. The appellants have also filed Civil application No.805/2017 for disposal of the appeal in those terms.

Accordingly, the second appeal is disposed of in terms of memorandum of understanding in relation to Block No.5 dated 12-5-2017. The parties to the present proceedings would be bound by the terms of the memorandum in that regard.

The appeal is accordingly disposed of. No costs.

JUDGE

/MULEY/