

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

907 SECOND APPEAL NO. 362 OF 2006
WITH CA/3985/2011 IN SA/362/2006 WITH
CA/12041/2017 IN SA/362/2006

BALKRUSHNA RAGHUNATH BURHADE
VERSUS
BABURAO RAGHUNATH BURHADE AND ORS.

...

Advocate for Appellant : Mr. S P Brahme;
Mr. GB Rajale, Adv. h/for Mr. Badakh Vishal S.
For Resp.No.2 To 4.

CORAM : P.R.BORA, J.

DATE : 8th August, 2018.

PER COURT :

1) When the present second appeal was taken up, learned counsel for the parties jointly submitted that the parties have amicably settled the dispute amongst them and have also formulated the terms of compromise and, therefore, the appeal may be disposed of in terms of the compromise.

2) Learned counsel tendered across the Bar the terms of compromise duly signed by the parties and their respective counsel. The learned counsel submitted that except appellant

No. 3 – Dilip Balkrushna Burhade all others are present before the court. It is contended that appellant No.3 is on dialysis and hence unable to remain present before this Court. Learned Counsel, on instructions, submitted that appellant No.3 is consenting for compromise terms. The learned counsel further submitted that the terms of compromise are verified by the parties before the competent office of the court. The Compromise Terms are taken on record and marked as "X" for identification.

3) I have perused the compromise terms. It appears that the parties have amicably decided to apportion the lands amongst themselves. The parties have even before the Court accepted the terms of compromise and also have submitted that they have willingly entered into the said compromise. Terms of Compromise are within four corners of law.

4) In view of the above, following order is passed, –

ORDER

- I) Second Appeal No.363 of 2006 stands disposed of in terms of compromise arrived at between the parties with no order as to cost;
- ii) The compromise terms shall form part of the decree to be drawn in the present second appeal;
- iii) Pending civil application, if any, stands disposed of.

(P . R . BORA)
JUDGE

bdv/