

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**964 FIRST APPEAL NO.2382 OF 2018
WITH CA/3819/2018 IN FA/2382/2018**

GANESH PUNJABA KANDE AND ANR
VERSUS
SHESHRAO RAMRAO GHUGE

...
Advocate for Applicants : Shri Sandip R.Sapkal
Advocate for Respondent : Shri K.B.Jadhav
...

CORAM : P.R.BORA, J.

DATE: 31st August, 2018

PER COURT:-

1 Learned Counsel appearing for the parties jointly tendered across the bar the compromise Purshis duly signed by the appellants as well as the original claimant. The learned Counsel submitted that the parties have amicably settled the dispute in terms of the compromise. The parties are also present before the Court. They have verified the contents of the compromise Purshis and also their signatures over the said compromise Purshis. Moreover, the learned Counsel appearing for the parties have also put their signatures on the compromise Purshis. The learned Counsel have prayed for disposing of the First Appeal in terms of the compromise.

2 It is informed that the original claimant has been paid the amount of Rs.75,000/- today in cash and the amount of Rs.25,000/- deposited by the appellants by way of statutory deposit in this Court while filing the First Appeal, is also to be withdrawn by the original claimant.

3 The terms of compromise are well within the four corners of law and appear reasonable and legal. I therefore, accept the terms of compromise. The compromise Purshis is taken on record and marked as 'X' for the purpose of identification.

4 The costs amount of Rs.10,000/- deposited by the appellants at the time of condonation of delay shall also be remitted in favour of the original claimant Shri Sahebrao Ramrao Ghuge.

5 In view of the above, the following order is passed:-

ORDER

- I) Leave to correct the name of the original claimant as Sahebrao in place of Sheshrao.
- II) Necessary amendment be carried out forthwith.

III) The First Appeal No.2382 of 2018 stands disposed of in terms of compromise Purhis at Exhibit-'X'.

IV) Award be drawn accordingly. The terms of the compromise shall form part of the award.

V) The respondent herein i.e. original claimant Shri Sahebrao Ramrao Ghuge is permitted to withdraw the amount of Rs.25,000/- deposited by the appellants by way of statutory deposit and the sum of Rs.10,000/- deposited by the appellants by way of costs.

VI) The appellants are entitled for refund of amount of Court fee as per law.

VII) Civil application No.3819 of 2018 also stands disposed of.

(P.R.BORA)
JUDGE

SPT

