

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

**CIVIL APPLICATION NO. 13331 OF 2018
IN
SECOND APPEAL NO. 857 OF 2018**

Gurunath Baburao Dalve
L.Rs' Latabai & Ors.

... Appellants

VERSUS

Mahrnunissa Papalal Shaikh

... Respondent

.....
Mrs Rekha M. Mohale-Choudhari a/w Mr Kuldeep Patil, Advocate h/f
Mr S. S. Choudhary, Advocate for the appellants
Mr Ashok R. Tapse, Advocate for respondent
.....

**WITH
CIVIL APPLICATION NO. 13328 OF 2018
IN
SECOND APPEAL NO. 857 OF 2018**

**WITH
SECOND APPEAL NO. 857 OF 2018**

**CORAM : A. M. DHAVAL, J.
DATE : 26TH OCTOBER, 2018.**

ORAL ORDER:-

. This is a second appeal by the original defendants. Both the lower courts have decreed the suit for declaration of ownership of the suit property and perpetual injunction against him. The plaintiff is the wife of original vendor and the vendor has executed

sale deed in favour of the defendant and thereafter granted Hibba in favour of his wife.

2. Now, today the parties have settled their dispute and filed compromise terms by way of Civil Application No. 13331 of 2018. The original plaintiff & respondent herein in presence of her advocate Mr A. R. Tapse agrees that the matter is settled and she has received money from the applicants and she gives up all her rights in respect of the suit property. Hence, the compromise is accepted. In view of the compromise between the parties, the Civil Application is allowed in terms of prayer clause 'B'. The judgment and decree of the courts below are set aside and the suit stands dismissed.

3. In view of the above, the Second Appeal Non 857 of 2018 and connected Civil Application No. 13328 of 2018 stand disposed of.

[A. M. DHAVAL]
JUDGE