

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO.377 OF 2013
WITH CA NO.6712/2013
AND
SECOND APPEAL NO.156 of 2013.

Bhimrao Maruti Mudgal (Died)
through L.Rs. -
1a) Kamal Wd/o Bhimrao Mudgal
and others .. APPELLANTS

VERSUS

1) Fulchand Limbraj Gade
and others. .. RESPONDENTS

Mr.Sanjay A.Wakure, Advocate h/for Mr.VD Salunke,
Advocate for appellants;

Mr. MB Kolpe, Advocate for Resp.Nos.1 to 4 (Caveator)

CORAM : P.R.BORA, J.

DATE : 3rd August, 2018.

PER COURT :

1) Second Appeal No.377/2013 and Second Appeal No.156/2013, both are arising out of common judgment dated 17th July, 2012 delivered by Principal District Judge, Osmanabad in Regular Civil Appeal No.207/2007 and 208/2007.

2) Today, when the present appeals were

taken up for hearing, learned counsel appearing for the parties, brought to the notice of the court that the parties to both the appeals have amicably settled the dispute and compromise terms are also settled. It is further brought to my notice that the compromise terms are also filed on record, which are signed and verified by all the parties to the *lis*. The learned counsel for the parties have prayed that the present second appeals may be disposed of in terms of the compromise arrived at between the parties.

3) When the matter was called in first session, the parties were directed to appear before the learned Registrar (Judicial) of this Court for verification of the compromise deed. Accordingly, the learned Registrar (Judicial) has furnished the report, which indicates that the parties and their counsel appeared before him and he got verified the terms of compromise, from them. Deed of Compromise is marked as Exhibit 'X'.

4) The parties represented by their

respective counsel are present before the court also.

5) I have gone through the terms of compromise. The compromise terms appear to be within four corners of law. In view of the above, following order is passed, -

ORDER

- i) Second Appeal No.377/2013 and Second Appeal No.156/2013 stand disposed of in terms of the compromise terms, which is marked as "X" for identification;
- ii) Decree be drawn accordingly;
- iii) The Compromise Deed shall form part of the decree to be drawn;
- iv) Pending civil application, if any, stands disposed of.

(P.R.BORA)
JUDGE

bdv/