

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12455 OF 2015
(Baswantrao s/o Rachappa Matalwar (dead), through LR's and others
Vs. Shivraya s/o Kalappa (dead) through LR's and others)
WITH CIVIL APPLICATION NO.14433 OF 2017
WITH
WRIT PETITION NO.10453 OF 2015
(Shivraya s/o Kalappa (dead) through LR's and others Vs.
Baswantrao s/o Rachappa Matalwar (dead), through LR's and others)
WITH CIVIL APPLICATION NO.14431 OF 2017

Mr.S.V.Chandole, Advocate for the petitioners.
Mr.A.G.Godhamgaonkar, Advocate for the respondents.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 23/07/2018

PER COURT :

1. These matters were not on board today. A joint request was made by the learned Advocates for the respective sides stating that the respective litigants would be present in the Court today and after due verification of the compromise terms, both these petitions can be disposed of in accordance with the said terms. These matters are therefore taken up on the production board.

2. Both the learned Advocates Mr.Godhamgaonkar and Mr.Chandole, on behalf of the litigating sides submit that in view of the contents of paragraph No.5 and 7 of the compromise terms dated

23/07/2018, the concerned respondent Nos.1A, 2B, 3A, 3B, 4D, 5A2, 5A4, 6A to 6G2 and 7A to 7G are to be deleted from the array of the respondents. It is further stated that this compromise sought to be solemnized today would not in any way affect or jeopardize the rights of these respondents. In the light of this statement, leave to delete is granted at the risk of the litigating sides. Deletion to be carried out forthwith. Deletion of the respective respondents in WP No.10453/2015 is also permitted on the same terms.

3. The learned Advocates for the litigating sides have tendered the compromise terms dated 23/07/2018 in WP No.12455/2015 (30 pages). The original terms of compromise are signed by the concerned litigating sides, who are present in the Court, are duly verified on oath and are identified by the learned Advocates. The said terms are taken on record and marked as Exhibit “**X**” collectively for identification.

4. The learned Advocates, in the presence of the litigating sides, submit that both these petitions can be disposed of in terms of the compromise Exhibit “**X**”. An additional *photostat* copy is also placed on record in WP No.10453/2015 and the said *photostat* copy is also

marked as Exhibit “**X**” for identification.

5. Considering the above and in view of the solemn statements made, both these petitions are disposed of in accordance with the terms of compromise set out in document Exhibit “X”.

6. Pending civil applications, if any, do not survive and hence stand disposed of.

(Ravindra V.Ghuge, J.)