

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.623 OF 2016
WITH
CIVIL APPLICATION NO.156 OF 2015

Dnyanoba Dagade Ghodake and others ... Appellants
Vs.
Sushma Satish Ghodake and another ... Respondents

Mr. Shrishail Sakhare for Appellants.
Mr. S. P. Rajepandhare for Respondent No.1.
Ms Tejal Poyrekar for Respondent No.2.

CORAM : R. G. KETKAR, J.
DATE : NOVEMBER 1, 2018

P.C. :

Not on Board. At the joint request of the learned Counsel for the parties, taken up in the production Board.

2. Heard Mr. Sakhare, learned Counsel for the appellants, Mr. Rajepandhare, learned Counsel for the respondent No.1 and Ms Poyrekar, learned Counsel for the respondent No.2.

3. Mr. Sakhare states that appellant No.2 - Subhash Ghodke is present in the Court. He has tendered photocopy of his Aadhar Card. The same is taken on record and marked 'A' for identification. Mr. Rajepandhare states that respondent No.1-Susma Ghodake is present in the Court. He has tendered photocopy of her Aadhar Card. The same is taken on record and marked 'B' for identification. Mr. Sakhare submits that appellants No.1, 3, 4, 5 and 6 have filed consent affidavits. Ms Poyrekar states that respondent No.2 has filed consent affidavit.

4. The learned Counsel for the parties have tendered consent terms dated 01.11.2018 duly signed by the appellant No.2, respondent No.1

and Advocates for appellants and respondents No.1 and 2 along with-

a) statement at exhibit 1 along with Panchnama, dated 06.02.2017;

- b) consent affidavits of - (i) appellant No.1,
(ii) appellant No.3,
(iii) appellant No.5,
(iv) appellant No.6, and
(v) respondent No.2.

5. The consent terms along with affidavits, statement and Panchnama are taken on record and marked 'C colly.' for identification. Parties admit and confirm correctness of the consent terms. Learned Counsel for the parties submit that Second Appeal may be disposed of in terms of the consent terms.

6. After perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled. In view thereof, Second Appeal is disposed of in terms of the consent terms. Impugned decrees stand substituted in terms of the consent terms and the decree shall be drawn accordingly.

7. In view of the disposal of the Second Appeal, Civil Application No.156 of 2015 for stay does not survive and the same is disposed of accordingly.

8. All parties, including Tahsildar, North Solapur, to act upon the authenticated copy of this order.

(R. G. KETKAR, J.)