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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.547 OF 2017
WITH
CIVIL APPLICATION No.571 OF 2017
IN
SECOND APPEAL NO.547 OF 2017**

Ashok Ramrao Sutar and ors ... Appellants.

V/s.

Shamrao Appa Sutar (decd)

Through Lrs

... Respondents

Mr. S. D. Paithane, for the Appellants.

Mr. G. N. Salunke, for the Respondent No.1(A), 1(B) and
1(D).

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 27th MARCH, 2018.

P.C. :

1] Learned counsel for the Appellants has tendered Settlement deed dated 25.7.2017, arrived at by and between the appellant Nos 1 & 2 and respondent Nos 2 to 5, duly signed by respective parties and notarized by the Notary.

2] Appellant Nos 1 and 2 and respondent Nos 2 to 6 are present before this Court. Respondent No.1 is no more, he has expired before passing of the decree by the trial Court. Respondent No.6 has also expired after filing of the appeal and the appellants

have no claim against them.

3] The Settlement deed dated 25.7.2017, arrived at between the parties has been taken on record and marked "X" for identification. The parties present before this Court, admit the contents therein and that they have signed the same. Both the learned counsel for appellants and respondents have submitted that the decree be drawn in terms of the Settlement deed.

4] In view thereof, the appeal is disposed of in terms of settlement deed. The settlement deed shall form part and parcel of this order. The decree in terms of settlement deed be drawn accordingly.

5] Civil Application No.571 of 2017 being infructuous stands disposed of.

[DR.SHALINI PHANSALKAR-JOSHI, J.]