

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.177 OF 2007

(Chandrakant Liladhar Ruparel Vs. Narendra Liladhar Ruparel)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Ms Aditi Naikare i/b. Mr. R. A. Thorat and Mr. P. J. Thorat for Applicant.

CORAM : R. G. KETKAR, J.

DATE : 24TH JULY, 2018

P.C.:

Heard Ms Naikare, learned Counsel for the applicant. Respondent - Narendra L. Ruparel appears in person.

2. Ms Naikare has tendered consent terms dated 24.07.2018 duly signed by the petitioner and the respondent as also Advocate for the petitioner. The same is taken on record and marked 'A' for identification. She has also tendered photocopy of Aadhar card of the respondent and PAN card of the petitioner, which are taken on record and marked 'B' and 'C' respectively for identification. Ms Naikare submitted that petitioner and respondent are real brothers and they have amicably settled their disputes. Respondent has agreed to withdraw R.A.E.&R. Suit No.1091/3343 of 1988 unconditionally. As a result thereof, the decree dated 23.12.2005 passed by the Appellate Court in Appeal No.501 of 2001 is set aside

thereby restoring the judgment and decree dated 06.06.2001 passed in R.A.E.&R. Suit No.1091/3343 of 1988. She further submitted that petitioner has obtained Probate of the last Will and Testament dated 17.06.1972 executed by their mother, Smt Kashibai Liladhar Ruparel and the parties to the C.R.A. agree that they are bound by the last wishes of their mother deceased Smt Kashibai Liladhar Ruparel. Respondent admits and confirms correctness of the consent terms. Mr. Naikare submits that C.R.A. may be disposed of in terms of the consent terms.

3. After perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled. C.R.A. is disposed of in terms of the consent terms. The decree passed by the Appellate Court is set aside and the decree passed by the trial Court is restored. Rule is made absolute in the aforesaid terms with no order as to costs.

(R. G. KETKAR, J.)

Minal Parab

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Sandip
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