

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6634 OF 2018

Subhash @ Baburao Shankar Devare ... Petitioner
Vs.
Jijabai Pandurang Devare and others ... Respondents

Mr. Bhushan U. Deshmukh for Petitioner.
Ms Avanti Inamdar i/b. Mr. Rameshwar Gite for Respondents No.1 and 2.
Mr. S. D. Rayrikar, AGP for Respondents No.3 and 4-State.

CORAM : R. G. KETKAR, J.
DATE : DECEMBER 18, 2018

P.C. :

Heard Mr. Deshmukh, learned Counsel for the petitioner, Ms Inamdar, learned Counsel for the respondents No.1 and 2 and Mr. Rayrikar, learned AGP for the respondents No.3 and 4-State.

2. By order dated 11.09.2018, parties were referred to mediation and Mr. B. K. Jangam was appointed as a Mediator. In pursuance thereof, the learned Mediator has submitted report dated 14.11.2018 along with the consent terms dated 10.10.2018 and the map. The learned Counsel for the parties thereafter submitted on 04.12.2018 that they do not agree with the map suggested by the learned Mediator. They further submitted that they will prepare the consent terms in Marathi and explain the contents to the parties and will ensure their presence on the next date of hearing. Accordingly, the learned Counsel for the parties have tendered the consent terms in Marathi duly signed by the parties and their Advocates. They submit that the consent terms are explained to the parties in Marathi.

3. Mr. Deshmukh submits that petitioner - Subhash @ Baburao

Shankar Devare is present in the Court. He has tendered photocopy of his Aadhar Card, which is taken on record and marked 'A' for identification. Ms Inamdar states that respondents No.1 and 2 are present in the Court. She has tendered photocopy of the identity card issued by the Election Commission of India of the respondent No.1 and photocopy of Aadhar Card of respondent No.2. The same are taken on record and marked 'B colly.' for identification. The learned Counsel for the petitioner and respondents No.1 and 2 have tendered consent terms dated 18.12.108 duly signed by the petitioner and respondents No.1 and 2 as also their Advocates. The consent terms as also map annexed thereto are taken on record and marked 'C colly.' for identification. Parties agree and confirm correctness of the consent terms as also map annexed to the consent terms. The map shall form the part of the consent terms. The learned Counsel for the parties submit that Petition may be disposed of in terms of the consent terms.

4. After perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled in terms of the consent terms. The map annexed to the consent terms shall form part of the consent terms. The impugned orders are substituted in terms of the consent terms. The Tahsildar, Chandwad will appoint Taluka Inspector of Land Records (now re-designated as Deputy Superintendent of Land Records) for demarcating the property in terms of the consent terms and the map. Let that exercise be done from 20.01.2019. Petition is disposed of accordingly with no order as to costs.

(R. G. KETKAR, J.)