

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 1293 OF 2016
WITH
CIVIL APPLICATION NO. 3581 OF 2016
IN
FIRST APPEAL NO. 1293 OF 2016**

Ravindra Dattu Jadhav & Ors. ...Appellants

Versus

Smt. Kamlabai Bhikaji Rayate & Ors. ...Respondents

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Ms.Divya Parab i/b. Mr. Rameshwar Gite for the Appellants.

Ms. Avanti Inamdar for Respondent Nos. 2 and 7.

Mr. Sanjay P. Shinde for Respondent Nos. 4 to 6.

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CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JANUARY 24, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The learned Counsel for the appellants submits that the appellants have no claim against respondent nos. 1 and 3.
3. The learned Counsel for respondent nos. 4 to 6 submits that they are the plaintiffs/ decree holders.

4. The learned counsel for respondent nos. 2 and 7 submits that respondent nos. 8 to 11 are minor and they are represented through respondent no. 7. She submits that respondent nos. 2 and 7 have given consent to the consent terms.

5. The learned Counsel for both the parties submit that the parties have settled the matter amicably. They have produced the consent terms dated 24th January, 2018. The said consent terms is taken on record and marked as **Exhibit A** for identification. They submit that alongwith the consent terms, Memorandum of Understanding dated 11th July, 2017 is also produced. The said Memorandum of Understanding is taken on record and marked as **Exhibit A+** for identification. The learned Counsel for both the parties further submit that the parties have agreed to act as per this Memorandum of Understanding. The decree holders, appellants and respondent nos. 2 and 7 are present in the Court. The parties along with their respective counsel signed the consent terms. The undertakings given in the consent terms by the parties are accepted. The terms and conditions mentioned in the consent terms by the parties are

accepted. First Appeal is disposed of. Decree is to be drawn in terms of the consent terms. The appellants are entitled to refund of court fees as per rules.

6. In view of disposal of First Appeal, Civil Application does not survive and the same is also accordingly disposed of.

(MRIDULA BHATKAR, J.)