

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (STAMP) NO.24370 OF 2018
ALONG WITH
CIVIL APPLICATION NO.3172 OF 2018
AND
CIVIL APPLICATION NO.3174 OF 2018

Deshraj A. Singala	 Appellant-Applicant
V/s.	
Kusumdevi Ramniwas Yadav and Ors.	 Respondents

Ms. Gaurangi Patil, I/by M/s. GP & Associates, for the Appellant-Applicant.

Ms. Chandrika Prajapati, a/w. Mr. Upendra Yadav and Mitu Yadav, for Respondent Nos.1 to 5.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 4TH OCTOBER, 2018.

P.C. :

1. Heard Ms. Patil, learned counsel for the Appellant-Applicant, and Ms. Prajapati, learned counsel for Respondent Nos.1 to 5.

2. Civil Application No.3172 of 2018 is filed by the Appellant-Applicant seeking condonation of delay in preferring the First Appeal. The delay is of 1 year and 157 days. Learned counsel for Respondent Nos.1 to 5 has no objection in allowing this Civil Application.

3. Hence, for the reasons stated in the Civil Application, it is allowed. The delay is condoned.

4. By consent, the First Appeal is taken up for final disposal in view of the 'Consent Terms' tendered before the Court.

5. Appellant is present in person before the Court, along with his Advocate. Respondent Nos.3 and 5 are present before the Court, along with their counsel. They submit that the matter is amicably settled between the parties and in view of the said settlement, Appellant-Deshraj Singala to pay Respondent Nos.1 to 5 herein the amount of Rs.1,00,000/-, aggregating to Rs.5,00,000/-, by way of 'Demand Draft', payable at Mumbai. Accordingly, the 'Demand Draft' is drawn and it is filed along with the 'Consent Terms'.

6. In view thereof, the 'Consent Terms' are taken on record, read and marked as "X" for the purpose of identification. The 'Decree' be drawn in terms of the 'Consent Terms'.

7. The amount of compensation, which is deposited by the Appellant in pursuance of the order passed by this Court, while granting the stay, be repaid to the Appellant.

8. First Appeal, along with Civil Applications thereto, stands disposed off in terms of the 'Consent Terms'.

[DR. SHALINI PHANSALKAR-JOSHI, J.]