

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO. 647/2017

(GIRDHARILAL SHRIKISANDAS CHANDAK (DEAD) THR. L.R.s LEELABAI GIRDHARILAL CHANDAK &
 OTHERS **VERSUS** SHANKARLAL DASHRATHLAL RATHI (DEAD) THR. L.R.s DINESHKUMAR
 VITTHALDAS MALPANI & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri S.D. Khati, counsel for the appellants.

CORAM : A.S. CHANDURKAR, J.

DATE : JULY 06, 2018.

In view of death of the respondent no.2, the appellants pray that his name be deleted as he died issueless.

Name of respondent no.2 is permitted to be deleted from the array of parties. Deletion be carried out forthwith.

C.A.S. NO.819/2018.

By this application, it is prayed that the second appeal be disposed of in view of the compromise arrived at between the parties.

The appellants are the original plaintiffs who had filed suit for partition and separate possession. That suit was decreed by the trial Court. The appellate Court, however, reversed that decree and dismissed the suit. During pendency of the second appeal, the parties have arrived at a compromise, details of which are mentioned in paragraph 6 of the civil application.

Perused the terms of compromise. The same appear to be reasonable. The application is duly signed by all the appellants as well as the respondent no.1 and their respective counsel.

Hence, Regular Civil Suit No.65 of 1984 is decreed in terms of the compromise as stated in paragraph 6 of the civil application. A decree be drawn accordingly. This application, the second appeal as well as C.A.S. No.413 of 2018 are disposed of. No costs.

JUDGE

APTE