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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

904 SECOND APPEAL NO.12 OF 2019
WITH CA/749/2019 IN SA/12/2019

NAGORAO BHAURAO YANKOCHE AND OTHERS
VERSUS
PANCHPHULABAI KISHAN JADHAV

...

Advocate for Appellants : Shri Bilolikar Upendra B.
Advocate for Respondent : Shri Parghane Madhukar M.

CORAM: V.L. ACHLIYA, J.

DATE: 30.08.2019

PER COURT :

1] Appellants and respondent present with their respective Advocates.

2] The terms of compromise and identification of the parties has been made before the Registrar (Judicial). The Registrar (Judicial) has submitted report recording therein that the compromise appears to be voluntary and no element of force or fraud appears to exist in the settlement.

3] The appellants – original defendants present admit their respective signatures / thumb impression and further admit the contents recorded in the terms of

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compromise to be true and correct. The respondent – original plaintiff present admits her signature on the terms of compromise. She admits the contents of the consent terms and states that the same are recorded truly and correctly. The terms of compromise are signed by appellants and respondent as well as their respective Advocates. The terms of compromise tendered taken on record and marked as "X" for identification.

4] In view of compromise, the respondent – plaintiff has agreed to accept the land admeasuring 40 Aares out of Gut No.479 of village Anjani Tq.Biloli Dist.Nanded and further agreed to accept Rs.1,25,000/- in lieu of giving up of her further claim in respect of the land.

5] The compromise between the parties appears to be genuine and voluntary. Parties are related with each other. Respondent is the daughter of appellant no.1. In order to put an end to the litigation, the parties have decided to settle the matter. I am, therefore, inclined to allow the parties to compromise the matter. Accordingly, following order is passed:-

O R D E R

A] Admit.

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B] Learned counsel for the respondent waives notice of appeal for the respondent.

C] The appeal is allowed and disposed of in terms of compromise marked as "X" for identification.

D] Decree passed by the trial Court and confirmed by the first appellate Court stands modified in terms of compromise filed by the parties and marked as "X" for identification.

E] Decree be drawn up accordingly.

F] Civil Application No.749/2019 stands disposed of in terms of disposal of appeal by compromise.

(V.L. ACHLIYA, J.)