

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO.1087 OF 2001
ALONG WITH
CIVIL APPLICATION NO.2964 OF 2018**

Hindu Book Centre & Ors. .. Appellants/Applicants
Vs.
Vishwanath Dinkar Narawane(since deceased)
through his legal heir
Kavita V. Narawane .. Respondent

Mr.Rushikesh S. Kale for the appellants/applicants.
Ms.Vaniti J. Pandit for the respondent.

**CORAM : R.D.DHANUKA, J.
DATE : 27th November 2019**

P.C.:

. Papers are allowed to be produced at 3.00 p.m.

2. Learned counsel for the parties have tendered consent terms dated 26th November 2019 duly signed by the authorised representative of the appellant and the respondent and their respective advocates. Copy of resolution dated 9th September 2019 passed by the respondent is annexed to the consent terms. Signatures of parties are identified by their respective advocates.

3. Consent terms are taken on record and marked 'X' for identification. Undertakings recorded in the consent terms, if any, are accepted.

4. Both the parties have issued bank guarantees pursuant to the interim order passed by this Court. In view of the settlement arrived at between the parties, both the parties seek liberty to withdraw those bank guarantees. Both the parties are at liberty to withdraw the bank guarantees filed before this Court or before the District Court, as the case may be.

5. In view of filing of consent terms, learned counsel for the appellants seeks liberty to withdraw this first appeal. First appeal is dismissed as withdrawn. In view of withdrawal of the first appeal, civil application does not survive and are disposed of. Refund of Court fees , if any, as per rules. Parties as well as the Office of this Court and the District Court to act on the authenticated copy of this order.

R.D.DHANUKA, J.