

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

FIRST APPEAL NO. 664 OF 2017
WITH
CIVIL APPLICATION NO. 2122 OF 2017
IN
FIRST APPEAL NO. 664 OF 2017

Suhas Mantri

.. Appellant

v/s.

Shri Suvarna Sahakari Bank Ltd. & Ors.

.. Respondents

Mr. Nachiket V. Khaladkar for the appellant

Mr. Tejesh Dande and Mr. Bharat Gadhavi I/b Tejesh Dande and Associates for the respondent nos. 1 and 2

Mr. Tejas P. Hartalkar for the respondent no.3

**CORAM : A.S. OKA &
M.S. SANKLECHA, J.J.**

DATED : 9th APRIL, 2019

P.C.

1. Not on Board. Taken on Board.

2. The learned Counsel appearing for the parties have tendered consent terms on record. The consent terms dated 26th March, 2019 are taken on record and marked "C-1" for identification. The consent terms have been signed by the first, second and third respondents, the appellant and their respective advocates. The learned Counsel appearing for the third respondent states that the third respondent is

now known as Icon Premises Pvt. Ltd. We accept the said statement. The learned Counsel appearing for the parties request the Court to pass a decree in terms of the Consent Terms.

3. Hence, we pass the following order :-

ORDER

- (a) There shall be a decree in terms of the Consent Terms which are taken on record and marked "C-1".
- (b) The undertakings, if any, in the consent terms are accepted.
- (c) The appellant will be entitled to the refund of Court fees as per the Rules.
- (d) The Appeal is disposed of on above terms.

4. In view of the disposal of the first appeal, the Civil Application No. 2122 of 2017 does not survive and the same is disposed of.

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)