

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

MISC. CIVIL APPLICATION (REVIEW) NO.262 OF 2019
IN
SECOND APPEAL NO.438 OF 2017

Atul Harshadraj Dholakiya and anr.

-vs-

Kishori Padmakar Mahajan and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri V. V. Bhangde, Advocate with Shri Dara Singh
J. Sindhu, Advocate for applicants.
Shri Nikhil Padhye, Advocate for non-applicants.

CORAM : A. S. CHANDURKAR, J.
DATE : October 10, 2019

Civil Application (CAO) No.1940 of 2019

Notice on the application is made returnable forthwith. Shri N. Padhye, learned counsel waives notice for the non-applicants.

It is submitted that in Second Appeal No.438/2017 a decree has been passed holding the original plaintiff to be entitled to 1/4th share in the suit property. In furtherance of that decree the parties have now arrived at a compromise by which the plaintiff has agreed to accept an amount of Rs.30,00,000/- (Rupees Thirty Lakhs) towards her share as full and final payment therefor. Pursuant thereto the plaintiff has agreed to co-operate with the present applicants in having the mutation entries recorded.

The compromise is signed by the parties who are present. It is also signed by their learned counsel. Considering the terms recorded therein the same is

accepted. In the light of the decree passed in Second Appeal No.438/2017 and in continuation thereof the compromise is taken on record. The same would be binding on the parties who shall act accordingly.

In view of aforesaid the Misc. Civil Application St. No.262/2019 does not survive. The same is disposed of accordingly.

Civil Application is allowed and disposed of.

JUDGE