

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

WRIT PETITION NO. 8324 OF 2018

Pramod s/o Deshraj Budhraj

vs.

Anand/ s/o Ashok Budhraj

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

Court's or Judge's orders

Shri.V.V. Bhangade, with Shri.R.M. Bhangade counsel for petitioner.
Shri. C. M. Samarth, counsel for sole respondent.

CORAM : MANISH PITALE J.

DATED : 10/09/2020

CIVIL APPLICATION (W) No. 870 OF 2020

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. During the pendency of this writ petition the parties have settled their interse dispute and the present application bearing Civil Application(W)No.870 OF 2020 has been filed before this Court under Order 23, Rule 3 of the Code of Civil Procedure. The terms of compromise between the parties have been specifically stated in this application in paragraph 3 from clause (a) to (j). This application is signed by the parties as well as their respective counsel.

3. The hearing of this application and the writ petition was undertaken through Video Conferencing and the learned counsel for the respective parties have stated

before this Court that the parties are indeed present before this Court through Video Conferencing. The rival parties have been identified by their respective counsel before this Court. In this application a specific prayer is made that the aforesaid compromise between the parties may be recorded and the trial Court i.e. the Court of 10th Joint Civil Judge Senior Division, Nagpur may draw a compromise decree in these terms in Special Civil Suit No.370/2016 within a specific time frame.

4. Having perused the application and its contents, this Court is satisfied that the trial Court can dispose of the suit by drawing a compromise decree in terms of the compromise entered between the parties and specifically placed before this Court in the present application.

5. In view of the above, the application is allowed in terms of the prayer made therein.

6. Accordingly the aforesaid trial Court shall now record the terms of compromise placed before this Court to draw a compromise decree within a period of **six weeks from today.**

7. It is further directed that since the parties have remained present before this Court, the parties are exempted from personal presence before the trial Court for drawing of the decree.

8. In view of the above, the application as well as writ petition are disposed of.

JUDGE

KOLHE/PA.