

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 FIRST APPEAL NO.1278 OF 2014

WITH CA/8753/2018 IN FA/1278/2014 WITH CA/6098/2014
IN FA/1278/2014

SUSHMA @ SULBHA W/O GANESH JAISWAL
VERSUS
ASHOK SHALIKRAM JAISWAL AND OTHERS.

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Advocate for Appellant : Mr. V. R. Dhorde.
Advocate for Respondent Nos.1 to 4 : Mr. R. R. Sawant h/f
Mr. H. S. Surve.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 29.10.2021

PER COURT (Per S. G. Mehare, J.) :-

1. The appellant-sister has preferred this present appeal against the judgment and decree passed by the learned 2nd Joint Civil Judge (Senior Division), Aurangabad in Special Civil Suit No.371 of 2012, dated 29.04.2014.
2. On notice, the respondents were appeared.
3. The appellant and the respondents have settled the dispute and submitted the consent terms, which is marked as

'X-1' for identification. In view of the order of this Court, dated 27.10.2021, the settlement terms have been verified by the Registrar (Judicial). It is marked as 'X-2' for identification.

4. The parties have arrived at amicable settlement in view of the settlement terms 'X-1'. Hence, the following order :

ORDER

- (i) The judgment and decree passed by the learned 2nd Joint Civil Judge (Senior Division), Aurangabad, in Special Civil Suit No.371 of 2012, dated 29.04.2014 is quashed and set aside.
- (ii) The decree be drawn up accordingly, in terms of settlement 'X-1'.
- (iii) Settlement terms 'X-1' shall be part and parcel of decree.
- (iv) The learned 2nd Joint Civil Judge (Senior Division), Aurangabad is directed to sent the decree to the office of the Sub Registrar, Aurangabad for registration according to law.

- (v) The Court fee, if any refundable, be refunded according to the provisions of law.
- (vi) Record and Proceeding be returned to the Court of first instance.
- (vii) Pending Civil Applications, in the above circumstances, do not survive and stand disposed off).

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-