

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

**APPEAL FROM ORDER NO.380 OF 2019
WITH
CIVIL APPLICATION NO.453 OF 2019
IN
APPEAL FROM ORDER NO.380 OF 2019**

Ashok Manibhai Patel ...Appellant
V/s.
Shardaben Purshottam Patel & Anr. ...Respondents

**WITH
APPEAL FROM ORDER NO.892 OF 2019
WITH
APPEAL FROM ORDER NO.893 OF 2019
WITH
APPEAL FROM ORDER NO.844 OF 2019**

Shardaben Purshottam Patel & Anr. ...Appellants
V/s.
Ashok Manibhai Patel & Anr. ...Respondents

Mr. Vikramjit Garewal a/w Mr. Bharat Jain, Ms. Ankeeta Chordia and Ms. Nidhi Jasani i/b I.C. Legal for Appellant in AO/380/2019.
Ms. Vidhya N. Shet i/b Vaid Associates for Appellant in AO/892/2019, AO/893/2019 & AO/844/2019.
Mr. Vikramjit Garewal a/w Mr. Bharat Jain, Ms. Ankeeta Chordia and Ms. Nidhi Jasani i/b I.C. Legal for Respondents in AO/844/2019, AO/892/2019 & AO/893/2019.
Ms. Vidhya N. Shet i/b Vaid Associates for Respondent Nos.1 & 2 in AO/380/2019 & CAA/453/2019.

**CORAM : A. S. GADKARI, J.
DATE : 26th AUGUST, 2021.
(Through Video Conferencing)**

PC.:

1. Mr. Garewal, learned Advocate appearing for the Appellant in Appeal from Order No.380 of 2019, submitted that, the parties herein have settled the matter amicably and have entered into the Consent Terms dated 26th August 2021, in Appeal from Order No.380 of 2019. He submitted that, the Appellant Ashok M. Patel and Respondent No.1 Shardaben P. Patel, Respondent No.2 Mr. Priyesh P. Patel and Smt. Lilaben M. Patel mother of the Appellant have signed the said Consent Terms. He submitted that, Lilaben M. Patel is a Defendant in Suit No.90 of 2018, and therefore, she has signed the present Consent Terms. The signatures of the said four persons have been identified by the learned Advocate for the Appellant and learned Advocate for the Respondents. The said Consent Terms are taken on record and marked 'X' for identification.

The undertakings mentioned in para Nos. 3, 4 and 9 are accepted as undertakings given to this Court.

2. In view of the Consent Terms dated 26th August 2021, Appeal from Order No.380 of 2019 is disposed off.

In view of disposal of Appeal from Order No.380 of 2019, Civil Application No.453 of 2019 does not survive and is also disposed off.

3. Learned Advocate appearing for the Respondents, in Appeal from Order No.380 of 2019, on instructions, submitted that, in view of the

Consent Terms filed in Appeal from Order No.380 of 2019, Appeal from Order Nos.892/2019, 893/2019 and 844 of 2019, also do not survive. In view thereof, Appeal from Order Nos.892/2019, 893/2019 and 844 of 2019 are accordingly disposed off.

(A. S. GADKARI, J.)