

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

**FIRST APPEAL (ST) NO. 16638 OF 2015  
WITH  
CIVIL APPLICATION NO. 2392 OF 2015  
WITH  
CIVIL APPLICATION NO. 2393 OF 2015  
IN  
FIRST APPEAL (ST) NO. 16638 OF 2015**

SANTOSH  
SUBHASH  
KULKARNI

Digitally signed by  
SANTOSH SUBHASH  
KULKARNI  
Date: 2021.10.30  
17:51:32 +0530

Soma Singh

...Appellant

**Versus**

Vikram Modak & ors.

...Respondents

Mr. H. N. Thakore, i/b Shri. Vivek Sharma, , for the Appellant.  
Ms. Rama Bhende, i/b Ms. Swati Gautam, for the  
Respondents.

**CORAM: N. J. JAMADAR, J.**

**DATED : 29<sup>th</sup> OCTOBER, 2021**

**PC:-**

1. Heard Mr. Thakore, the learned Counsel for the appellant and Ms. Bhende, the learned Counsel for the respondents.
2. Mr. Thakore, the learned Counsel for the appellant and Ms. Bhende, the learned Counsel for respondent nos.1A to 1D, who are the contesting respondents – legal representatives of the deceased plaintiff in Suit No.7313 of 1997, the decree in which is assailed in this appeal, submit that the parties have amicably resolved the dispute and settlement terms have been executed before the Executing Court.

3. In view of the above settlement, the learned Counsel for the appellant seeks leave to withdraw the appeal.

Leave granted.

4. The appeal stands disposed of as withdrawn.

5. In view of the withdrawal of the appeal, all the pending civil applications do not survive and stand disposed of.

6. In view of the settlement of the dispute and disposal of the appeal, the parties are relieved from the statement, if any, made before this Court, except the statements and undertakings made in the settlement terms before the Executing Court.

**[N. J. JAMADAR, J.]**