

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

SECOND APPEAL NO. 207 OF 2005

Arjun Janu Gaikar & Ors.	..Appellants
Vs.	
Manohar Mahadeo Keni (Deceased) through heirs Kalubai Manohar Keni & Ors.	..Respondents

Mr. Rajaram P. Lote, for the Appellants.
Ms. Nilima Sarvagod i/b. Mr. Omkar Warang, for the Respondent
Nos. 1 & 2.
Mr. D. S. Mhaispurkar, for the Respondent Nos. 3 & 4.

**CORAM : C.V. BHADANG, J.
DATE : 05th FEBRUARY 2021**

P.C.

. The appellants and respondent Nos.3 and 4 have produced the Consent Terms on record which are marked 'X' for identification. The Consent Terms are signed by the parties and their counsel. The parties admit the correctness of the contents thereof.

2. The first and the second respondent had filed a suit. The learned District Judge at Kalyan in Civil Appeal No.257/1996 arising out of the said suit had partly decreed the suit holding the first and the second respondent as owners of the suit property, which is land admeasuring eight guntas out of Survey No.153 (part) of Village

Golavali, Taluka Kalyan, District Thane. The appellants claim to be the tenants / purchasers of the suit property from the time of their fore-fathers. Now the parties have resolved their disputes. The Consent Terms mention that the suit property has been sold by the respondent Nos.1 and 2 in favour of the respondent No.3 on 30/8/2012 and the respondent No.3 has further sold the property in favour of the respondent No.4 on 31/12/2012. In such circumstances, the Consent Terms envisage the deletion of the respondent Nos.1 and 2.

3. I have heard the learned counsel for the appellants and the learned counsel for the respondent Nos.3 and 4. I have also heard the learned counsel for the respondent Nos.1 and 2 who does not dispute that the land has been sold in the year 2012 to the respondent No.3.

4. In such circumstances, the appeal is disposed of in view of the Consent Terms dated 29/1/2021 which are marked 'X' for identification. In the circumstances, the parties to bear their own costs. Decree be drawn accordingly.

C.V. BHADANG, J.