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

**908 CIVIL APPLICATION NO.2375 OF 2022
IN
SECOND APPEAL NO.513 OF 2009**

Sarika Machindra Khairnar and Others .. Applicants

Versus

Karbhari Sakharam Sirsath and Others .. Respondents

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Advocate for the applicants : Mr. M.L. Dharashive
Advocate for appellant Nos.1 to 3 in SA : Mr. B.N. Patil
Advocate for Respdt Nos.2, 3A, 5A and 6 to 8 in SA: Mr. Y.M. Khan

...

AND

SECOND APPEAL NO.513 OF 2009

Karbhari Sakharam Sirsath and Ors .. Appellants

Versus

Devrao Punjaba Khairnar and Ors .. Respondents

...

Advocate for Appellants : Mr. B.N. Patil
Advocate for Respondent Nos.2, 3A, 5A, 6 to 8 : Mr. Y.M. Khan
Advocate for Respondent Nos.2, 3B-1 to 3B-5, 4A to 4G, 5A to 5E, 6
to 8 : Mr. M.L. Dharashive

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CORAM : MANGESH S. PATIL, J.

DATE : 18-02-2022

PER COURT :

. The parties seem to have arrived at a compromise.
However, there were several defects inasmuch as some of the parties

were minors and procedure as prescribed under Order-XXXII, Rule-7 of the Code of Civil Procedure was not being followed. Pursuant to the order dated 04-02-2022, the parties were directed to comply with that provision.

2. Pursuant to such an objection, Civil Application No.2375 of 2022 has been filed for seeking leave on behalf of respondent no.3B-1 Sarika, and Bhagubai who has signed as mother of respondent no.4G namely Kum. Pooja seeking leave under Order-XXXII, Rule-7 of the CPC to enter into the compromise on behalf of the minor respondent nos.3B-4 - Payal, 3B-5 Anush and 4G Pooja, respectively. They have also filed their respective affidavits. Learned Advocate Mr. M.L. Dharashive, who appears for the respondents has also annexed his certificate dated 10-02-2022 as is required by law expressing an opinion that the compromise is in the interest of the minors. Civil Application is allowed accordingly.

3. In view of such compliance, the Second Appeal is disposed of in terms of the settlement arrived at, which is marked 'X' for the purpose of identification.

(MANGESH S. PATIL)
JUDGE