

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

SECOND APPEAL NO.11 OF 2012

CHANDRABHAGABAI HIRALAL KOLI
VERSUS
KASHINATH RAMDAS KOLI AND ORS

...
Advocate for Appellants : Mr. S.P. Shah
Advocate for Respondent : Mr. Kulkarni Mukul S.

...
CORAM : MANGESH S. PATIL, J.

DATE : 08.03.2022

PER COURT :

Learned advocate Mr. Shah for the appellant submits that the parties have reached an amicable settlement which has been duly filed before the executing court. He places on record a certified copy of the joint application filed before the executing court for referring the matter to a Mediator, a copy of the terms of compromise (Exhibit-32) as also the certified copy of the order passed on the execution proceeding disposing it of in view of the compromise (Exhibit 32).

2. Though the learned advocate Mr. Shah submits that he does not have instructions to withdraw the Second Appeal, the certified copies, which are now marked 'X' for the purpose of identification reveal that the sole appellant Chandrabhagabai Hiralal Koli was a party to the compromise. Similarly, even respondent Nos.2 to 5 are the parties to the compromise.

3. In view of the above state of affairs, the Second Appeal is disposed of.

(MANGESH S. PATIL, J.)