

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.700 OF 2003**

Balku Ranku Yelgude] ... Appellant

Vs.

Dhondiba Govind Yelgude & Ors.] ... Respondents

**ALONG WITH
CIVIL APPLICATION NO.1220 OF 2002
ALONG WITH
CONTEMPT PETITION NO.237 OF 2022**

...

Mr. S.S. Redekar h/f. Mr. V.S. Kapse for the appellants.

Mr. Pramila S. Bhaingade for respondent Nos.1A and 1B.

Mr Gaurav G. Nankar for respondent No.2.

Mr. Mandar Bagkar i/b Mr. Chetan Patil for the petitioner in C.P.
No.237 of 2022.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 05TH APRIL, 2022.

P.C. :-

1. The second appeal deserves a disposal in terms of the consent terms placed on record, dated 05/04/2022 signed by the appellant No.1F for himself and on behalf of the other appellants as their power of attorney holder. The consent terms are also signed by respondent No.1B, for himself and as power of attorney holder of respondent No.1A. The power of attorney holder of respondent No.2A Mr. Satish Pawar has also signed the consent terms.

2. The power of attorneys executed in favour of Ramesh Yelgude, Jaysing Pawar and Satish Pawar are placed on record along with consent terms. The power of attorney holders are present in the court and their identity have been established on the basis of the photo identity cards, copies of which are placed on record.

3. The consent terms signed on 05/04/2022 are tendered before the court and accepted. The same are taken on record and marked ‘X’ for identification.

4. Paragraph Nos.4 to 7 are the terms of consent agreed between the parties and in paragraph No.8, it is specifically stated that if the parties fail to effect partition mutually as agreed, then the respondent would be at liberty to take steps to execute the

decree dated 26/11/1986 passed in R.C.S. No.39 of 1983, which is confirmed in Regular Civil Appeal No.7 of 1996.

5. It is recorded in the consent terms that the issues amongst the respective parties are settled and the disputes, no more survive amongst themselves.

6. In the wake of the aforesaid consent terms, the second appeal is disposed off.

7. In the wake of the disposal of the second appeal, Contempt Petition No.237 of 2022, which is filed by respondent No.1A is also disposed off on the basis of the statement made by the power of attorney holder of respondent No.1A that he is not desirous of prosecuting the contempt petition.

[SMT. BHARATI DANGRE, J.]