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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 449 OF 2021**

Shivshankar Builders and Developers
and Ors. Appellants
V/s
Mr. Rajeev Duniyaram Singh and Others Respondents.

**ALONGWITH
INTERIM APPLICATION NO.18728 OF 2022
IN
SECOND APPEAL NO. 449 OF 2021
ALONGWITH
INTERIM APPLICATION NO.18727 OF 2022
IN
SECOND APPEAL NO. 449 OF 2021
ALONGWITH
INTERIM APPLICATION NO.4046 OF 2021
IN
SECOND APPEAL NO. 449 OF 2021**

Mr. Rajeev Duniyaram Singh Applicants.

In the matter between

Shivshankar Builders
and Developers and Ors. Appellants.
V/s
Mr. Rajeev Duniyaram Singh and Ors. Respondents.

**ALONGWITH
INTERIM APPLICATION NO.4006 OF 2021
IN
SECOND APPEAL NO.449 OF 2021**

Shivshankar Builders & Developers and Ors. Applicants.

In the matter between

Shivshankar Builders & Developers and Ors. Appellants.

V/s
Mr. Rajeev Duniyaram Singh
and Others Respondents.

Mr. Harshad Bhadbhade for the Appellants.

Ms. Yogini A. Ugale for the Respondents.

CORAM: NITIN W. SAMBRE, J.

DATE: OCTOBER 03, 2022

P.C.:-

1] Heard.

2] Pursuant to agreement of sale executed in December, 2012, Respondents lodged a claim before MahaRERA Authority. The suit proceedings were answered against the Developers/Builders. Hence, the present Appeal.

3] Parties to the Appeal through their respective Counsel tendered Consent Terms. On behalf of Appellants/Builders & Developers, Consent Terms are signed by the partner who is authorized to do so. On behalf of Respondents, Respondent No.2 as a Power of Attorney holder of Respondent No.1 has signed the Consent Terms for both i.e. Respondent Nos. 1 and 2. Respondent No.3 is informed to be the father of Respondent No.1 and is not present as he is not keeping good

health. The certificate to that effect from Lotus Health Family Clinic and Diagnostic Center issued by Dr. Anil Pimple dated 23rd September, 2022 has been produced. Same is taken on record and marked “X” for the purpose of identification.

4] Similarly, Power of Attorney holder i.e. Respondent No.2 has identified herself through Aadhar Card and she is also identified by Advocate Ms. Yogini Ugale who is representing the interest of Respondents.

5] In this backdrop, Consent Terms tendered by parties are taken on record and marked “Y” for the purpose of identification.

6] Second Appeal stands disposed of in terms of the Consent Terms. Decree be drawn accordingly.

7] Parties hereto are at liberty to approach Registry of this Court to process their request in terms of paras 4(II) to 4(IV) of the Consent Terms.

8] As Second Appeal stands disposed of, all pending Interim Applications also stand disposed of.

(NITIN W. SAMBRE, J.)