

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.320 of 2022
WITH
INTERIM APPLICATION NO.2267 of 2022
IN
APPEAL FROM ORDER NO.320 OF 2022

Niranjan Gajanan Joshi & Anr .. Appellants
Versus
Gajanan Raghunath Joshi .. Respondent

WITH
INTERIM APPLICATION NO.2268 of 2022
IN
APPEAL FROM ORDER NO.320 OF 2022

Adwait Niranjan Joshi .. Applicant
Versus
Gajanan Raghunath Joshi .. Respondent

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Mr. Rakesh H. Pathak for the appellant.
Mr. Tanay Mandol for the respondent.

CORAM: BHARATI DANGRE, J.
DATED : 7th APRIL, 2022

P.C:-

1 Learned counsel for the appellant state that in the wake of the demise of appellant no.1, he seek leave to delete him from the array of the appellants, the amendment is allowed.

Necessary amendment to be carried out forthwith.

2 Learned counsel for the appellant no.2 and the respondent, state that since there was a discord in the family, they have settled the same and filed consent terms before the City Civil Court in S.C. Suit No.2888/2019. This statement is confirmed by the appellant no.2 who is present in the Court and his identity has been established by the Court through his Aadhar Card produced in original. The photo copy of the Aadhar Card is placed on record.

In the wake of the settlement, the City Civil Court has decreed the Suit in terms of the consent exhibited at Exhibit-6 and directed a consent decree to be drawn. The said order is placed on record at Exhibit-3 of IA NO.2268/2022.

3 In wake of the above, IA No.2268/2022 is allowed by permitting the deletion. Since the Suit itself has been worked out between the parties, the AO has been rendered infructuous and is disposed off as such.

In view of the disposal of AO, IA No.2267/2022 stands disposed off.

(SMT. BHARATI DANGRE, J.)