

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.106 OF 2022

Vasudev Sahadu Suryawanshi ...Applicant

V/s.

Anil Bhaskar Pagar @ Pagare @ Patil & Ors. ...Respondents

**WITH
WRIT PETITION NO.13843 OF 2022**

Vasudev Sahadu Suryawanshi ...Petitioner

V/s.

Anil Bhaskar Pagar @ Pagare @ Patil & Ors. ...Respondents

Mr. Nikhil M. Pujari, for the Applicant in CRA
No.106 of 2022 & for the Petitioner in Writ
Petition No.13843 of 2022.

Mr. Satyajeet Dighe, for the Respondent Nos.1 to
3.

**CORAM : MADHAV J. JAMDAR, J.
DATE : 18th NOVEMBER, 2022**

P.C.:

1. Heard Mr. Nikhil M. Pujari, learned counsel appearing
for the Petitioner/Applicant, Mr. Satyajeet Dighe, learned
counsel appearing for the Respondent Nos. 1 to 3.

2. Mr. Pujari, learned counsel seeks leave to delete the

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Respondent Nos. 4 to 22 from the array of the Respondents. Leaved as aforesaid is granted. Amendment to be carried out within a period of two weeks.

3. The Petitioner and Respondent Nos. 1 to 3 tenders consent minutes of order. The same are taken on record and marked "X" for identification. The said consent minutes of order reads as under:

CONSENT MINUTES OF ORDER

1. The Respondent No 4 to 22 are allowed to be deleted in the Writ Petition and Civil Revision Application respectively.
2. By the consent of parties, impugned order dated 08/12/2021, passed by Learned District Judge-9, Nashik, below Exh.8 in Miscellaneous Civil Appeal No.65 of 2021 is hereby modified and accordingly the Status-quo granted by the said Court is hereby vacated to the extent of area admeasuring 20 R out of total area admeasuring 3H 05R in Gat No. 281 situated at village Matori, Tl. & Dist. Nashik, same was purchased by the present Applicant / Petitioner by Register Sale deed being no. 2981/2016, dated 20.04.2016. The Petitioner will be free to dispose of his property to the extent of 20 R out of total area admeasuring 3H 05R in Gat No. 281, as per his desire and the Respondents will not claim any

right or object for its sell transaction if any, in near future. The Status Quo order shall continue to operate over the balance area in Gat no -281, as well as with respect to other suit properties stated in Para 1 at serial no 2,3 and 4 of the Original Plaintiff.

3. The Petitioner has agreed to pay a sum of Rs. 2,50,000 /- to the present Respondent no. 1, 2, and 3 jointly for executing the present consent terms. If the said amount is not paid by the Petitioner the present consent terms will stand cancelled.
4. That separate compromise affidavit will be filed between the Petitioner/Defendant no. 10 and Respondent 1-3 /Plaintiff to be filed in Regular Civil Special Civil Suit No.272 of 2022.
5. In view of above Para No.1 Civil Writ Petition ST.No.3460 of 2022 is disposed of.
6. The Petitioner hereby withdraws Civil Revision Application No.106 of 2022 and accordingly the same is disposed as withdrawn.
7. Petitioner shall not act in any manner prejudicial to Respondent 1,2,3/Original Plaintiff or any manner try to defeat claim of Respondent 1,2,3/ Original Plaintiff in Special Civil Suit No.272 of 2022. The Petitioners i.e. (Original Defendant no. 10) may be deleted from the array of Defendants in Special Civil Suit No.272 of 2022.

8. The parties shall be abide by the above undertaking.
9. The contents of the present consent terms are read over and explained in Marathi to the parties by their respective advocates.

4. The Petitioner and Respondent Nos. 1 to 3 are personally present in the Court and they are identified by their respective Advocates. The Petitioner and Respondent Nos. 1 to 3 confirms that the consent minutes of order are executed by them. Their Signatures / Thumb impressions are identified by their respective Advocates. They confirm that the consent minutes of order are explained to them by their respective Advocates in Marathi language.

5. The undertaking given in consent minutes of order are accepted.

6. The Writ Petition No.13843 of 2022 is disposed of in terms of consent minutes of order with no order as to costs.

7. The Civil Revision Application No.106 of 2022 is allowed to be withdrawn and is disposed of as accordingly.

(MADHAV J. JAMDAR, J.)