

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 867 OF 2022

IN

FIRST APPEAL NO. 283 OF 2008

Shree Rangachari Raghavan (Dead), thr. His 3 legal heirs and ors.

..vs..

Shri V. Parthasarathy (dead) 2. V. Srinivas, thr. Legal heirs and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.C. Dharmadhikari, Advocate for the applicant.
Shri Jaiswal, Senior Advocate for ...

CORAM : M.S. KARNIK, J.

DATED : 13/04/2022.

Heard.

2. This is an application jointly filed by the appellant and the respondents for recording of the compromise and for passing a compromise decree under Order XXIII Rule 3 of the Code of Civil Procedure.

3. The appellant no.4 Ms. Swati Rangachari is present in the Court. A Power of Attorney is filed on record executed in her favour by the appellant no. 2 - Champaka Rangachari and appellant no. 3 - Indrani Gulati.

4. I have interacted with Ms. Swati Rangachari. She submits that she has signed on the application and agrees for the settlement in terms of compromise arrived between the parties and which have been stated in the application at paragraph 5.

5. The respondents have executed a Power of Attorney in favour of Chartered Accountant Dr. Tejinder s/o

Mohinder Singh Rawal. The Power of Attorney is produced on record. I have interacted with Shri Tejinder Mohinder Singh Rawal and he is agrees to have signed the civil application and that the matter has been compromised/settled between the parties in terms of what is recorded in paragraph 5 of this application.

6. Learned Counsel Mr. Dharmadhikari, for the appellants and Senior Advocate Mr. Jaiswal appearing on behalf of the respondents submit that the parties have settled the matter in terms of compromise on the terms stated in the application. The application, is therefore, allowed in terms of prayer Clause (A) which reads thus :

A) Allow the present application and record the compromise arrived that between the parties and by recording so further kindly be pleased to pass a decree of compromise in terms of the compromise mentioned in Paragraph 5 (clause i to viii) and dispose of the present appeal accordingly, in the interest of justice.”

7. As the parties have settled the matter, nothing survives for consideration in the First Appeal and therefore the First Appeal is disposed of in the above terms. Decree be drawn accordingly. No order as to costs.

JUDGE

Trupti